

**KERALA STATE ELECTRICITY REGULATORY COMMISSION  
THIRUVANANTHAPURAM**

**Present: Shri. Preman Dinaraj, Chairman  
Shri. Adv. AJ Wilson, Member (Law)**

**OP No.58/2021**

In the matter of : Petition for Condonation of delay in filing Capital Investment Plan  
Approval for Financial Year 2016-17 to 2019-20

Petitioner : M/s Smart City (Kochi) Infrastructure Pvt. Ltd.

**Order dated 02/11/2021**

1. Instant petition filed by M/s Smart City (Kochi) Infrastructure Pvt. Limited is for condoning delay in submitting the Capital Investment Plan for the years of 2016-17 to 2019-20. The licensee had not submitted the details of Capital Cost approved along with the petition for determination of true up of accounts for the financial years 2016-17 to 2018-19. The Commission also directed the licensee in **Order dated 08-11-2019** to furnish complete details of all capital expenditure for obtaining formal approval from the Commission. Accordingly, the licensee submitted the petition for approval of Capital Expenditure Plan for FY 2016-17 to 2019-20 on 25/10/2021. The petitioner stated that the reason for delay in submission of the Petition for approval of capital expenditure plan was the licence for the distribution of electricity was issued by the Commission vide notification No.1756/C.Engg/SCK/2013 dated 17-07-2014 and all the Contracts related with Licensee Utility Substations and 33 KV substation were finalised and awarded before the issue of the license.
2. The Commission examined the matter and the reason given by the licensee for condoning the delay. As per Regulation 70 (2) of Chapter IX of KSERC (Terms and Conditions for Determination of Tariff) Regulations 2018 the distribution licensee shall along with the petition for determination of aggregate revenue requirements for the control period submit to the Commission for its approval detailed capital expenditure plan. Further Regulation 22 (3) also states that the capital cost approved by the Commission after prudence check shall form the basis for determination of tariff. In the absence of the details of the capital expenditure incurred by the licensee, the Commission directed in Order dated 08-11-2019 to furnish complete details of all capital expenditure both expended and proposed for obtaining formal approval from

the Commission. Considering the reason stated in the petition, the delay can be condoned and admit the petition for further processing.

### **Orders of the Commission**

3. After considering the matter in detail, the Commission hereby condones the delay in the filing petition for approval of the Capital Investment Plan Financial Year 2016-17 to 2019-20 and admit the petition for further processing.

**Sd/-**  
**Adv. AJ Wilson**  
**Member**

**Sd/-**  
**Preman Dinaraj**  
**Chairman**

**Approved for Issue**

**Sd/-**  
**Secretary (i/c)**