

KERALA STATE ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No.1 /1/KERC-2006/X

Dated, 29th June 2007 Thiruvananthapuram,

FEES REGULATIONS, 2007

STATEMENT OF OBJECTS AND REASONS

Section 86 (1)(g) of the Electricity Act 2003 empowers the Commission to levy fees for the purpose of the Act. Under sub section (1) Section 64 of the Act, the Commission may determine the fee for determination of tariff of a generating company or a Licensee. In exercise of the powers conferred on it under the above provisions read with Section 181 of the Act, and all powers enabling it in that behalf, the Kerala State Electricity Regulatory Commission hereby makes the following regulations.

REGULATIONS

The Kerala State Electricity Regulatory Commission hereby makes the following Regulations namely. -

CHAPTER I

GENERAL

1. Short title and commencement. - (1) These Regulations may be called the "**Kerala State Electricity Regulatory Commission (Fees) Regulations, 2007.**"

- (2) They shall come into force w.e.f. date of publication in the official gazette
- (3) They shall apply to the State of Kerala.

2. Definitions. -(1) In these Regulations, unless the context otherwise requires,

- (a) "Act " refers to the Electricity Act, 2003.
- (b) "Commission " means the Kerala State Electricity Regulatory Commission
- (c) "Fees" means fees mentioned in the Schedule

- (d) "Fines and/or Charges" refers to fine and/or charges that the Commission is empowered to impose under the Act.
- (e) "Fund " means the Kerala State Electricity Regulatory Commission fund constituted under Section 103 of the Act.
- (f) "Generating Company" means any company or body corporate or association or body of individuals, whether incorporated or not , or artificial juridical person, which owns or operates or maintains a generating station;
- (g) "Grid" means the high voltage backbone system of interconnected transmission lines, substation and generating plants ;
- (h) "Licensee " means a person who has been granted licence under Section 14 of the Act;
- (i) "Proceedings" means and include proceedings of all nature that the Commission may hold in the discharge of its functions under the Act.
- (j) "Regulations" means regulations made under Electricity Act, 2003.
- (k) "Schedule " means schedule appended to these regulations;
- (l) "Secretary" means Secretary of Kerala State Electricity Regulatory Commission.

(2) Words or expressions occurring in these Regulations and not defined herein above but defined in the Act shall bear the same meaning as in the Act.

3. Fees on applications and petitions. -(a) Every application, petition and appeal made to the Commission shall be made along with payment of appropriate fees specified in the Kerala State Electricity Regulatory Commission (Conduct of Business) Regulations,2003. However every application for grant of Licence under Section 14 of the Act shall be accompanied by such fee as may be prescribed by the Government of Kerala under Section 15 of the Act. Every Licensee shall pay the initial license fee and, the annual license fee specified in the Kerala State Electricity Regulatory Commission (Licensing) Regulations, 2006.

(b) The fees payable under these Regulations shall be paid by means of bank draft or pay order, drawn in favour of the 'Secretary, Kerala State Electricity Regulatory Commission' payable at Trivandrum.

(c) All fees received by the Commission under these regulations shall be credited to the fund; However when the applicant/petitioner is Government of Kerala, no fees shall be levied.

4. Utilisation of the funds. -(1) All amounts received as Fees and /or Charges under these regulations shall be deposited in the Fund.

5. Power to remove difficulties. -(1) If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything, not being inconsistent within the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

SCHEDULE

Sl.No	Description	Fees
1	<p>Determination of tariff under provisions of clause (a) of sub section (1) of Section 62 of Electricity Act 2003.</p> <p>(a) Conventional Fuel Based Plant (Coal, Oil etc)</p> <p>(b) Non conventional and Renewable Sources of energy including Co-generation.</p>	<p>(a) Rs 5,00,000.00 (Rupees Five Lakh) for capacity up to 50 MW. Rs.5000 (Rupees five thousand) for each additional MW capacity or part thereof.</p> <p>b) Rs.10000.00 (Rupees ten thousand) for the first 1 MW of capacity. Rs.500 (Rupees Five Hundred) for each additional MW or part thereof of capacity.</p>
2	<p>Annual /base year determination of tariff for transmission of electricity under the provisions of clause (b) of sub section (1) of Section 62, to be paid by the licensee. Provided that such fees are payable whether such determination is upon application by the Licensee or by any other person or suo moto determination by the Commission.</p>	<p>Rs 1,00,000/- (Rupees One Lakh)</p>
3	<p>Annual /base year determination of tariff for wheeling of electricity under provisions of clause (c) of sub section (1) of Section 62, to be paid by the Licensee: Provided that such fees are payable whether such determination is upon application by the Licensee or by any other person or suomoto determination by the Commission.</p>	<p>Rs 50,000.00 (Rupees Fifty thousand)</p>

4	Fees and charges to be levied by the State load Dispatch Centre from Generating Companies and Licensees engaged in Intrastate transmission as stipulated under Sub Section (3) of Section 32.	Shall be decided by the Commission from time to time.
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The fees and charges specified under various regulations issued by the Commission shall be levied as ordered in those regulations.

By Order of the Commission

Sd/-
Secretary (in charge)