

**FORM 1**

**BEFORE THE  
HON'BLE KERALA STATE ELECTRICITY REGULATORY COMMISSION**

**PETITION NO:**

**IN THE MATTER OF:**

**WAIVER OF SUPERVISION CHARGES  
FOR PREPARATORY WORKS IN SHIFTING OF ELECTRICAL UTILITY /  
TRANSMISSION LINES AS PART OF  
KOCHI METRO PHASE-II PROJECT  
FROM JAWAHARLAL NEHRU STADIUM STATION TO INFOPARK-II  
STATION  
AND  
INCLUSION OF TARIFF FOR ELECTRIC VEHICLE CHARGING STATIONS IN  
INVOICES IN FAVOUR OF KMRL.**

**PETITIONER:**

**KOCHI METRO RAIL LIMITED  
(A joint venture company of Govt. of India and Govt. of Kerala),  
4<sup>th</sup> Floor, JLN Metro Station, Kaloor, Kochi – 682017**

**RESPONDENT:**

**KERALA STATE ELECTRICITY BOARD LIMITED,  
Vydyuthi Bhavanam, Pattom,  
Thiruvananthapuram  
KERALA**

## **AFFIDAVIT**

I, **Rajendran A.R**, son of K Ramakrishnan Nair aged 56 years residing at VAIKUNDAM, KAILAS LANE, PURAM CHIRA ROAD, THIRUVONAM NAGAR, TRIKKAKARA, Kochi -682026, do solemnly affirm and state as follows:

1. I am the **Chief General Manager (RS&E)** of Kochi Metro Rail Limited, the petitioner in the above matter and am duly authorized by the said petitioner to make this affidavit on its behalf.

2. The statements made in paragraphs 1 to 3.5 of the petition herein are true to the best of my knowledge and I believe them to be true.

Solemnly affirmed at Ernakulam on this, ..... day of September 2021 that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

**Deponent**

**Petition submitted before the**  
**Honorable KERALA STATE ELECTRICITY REGULATORY COMMISSION**

- Ref: 1. KSEBL Board Order No. BO(FM) No. 1040/2013/ (545/DPC II-AEE1/2013/M(Dist) dated 09.05.2013**  
**2. Kerala Government Order GO(MS) No. 24/2019/Trans dated 10.03.2019**  
**3. Hon'ble KSERC Order on Petition No. RP No.4/2017 dated: 12.07.2017**  
**4. Hon'ble KSERC Order on Petition No. OP 10/2020 dated 15.09.2020**

- 1.** Kochi Metro Rail Ltd is a special purpose vehicle (SPV) with equal participation of the Government of India and Government of Kerala. KMRL comes under the definition of **"Public Office run by Central / State Government"**, as per GO (P)No 171/2013/LSGD/ dated 10th May 2013, the services of KMRL is to be treated essential to the life of community. Kochi Metro being a public utility is committed to provide reliable, economical and speedy transport to public. The beneficiaries of this public transport vehicles are the common people.

**PART-I**

- 2. Waiver of supervision charge (administrative and overhead charges) for the works in connection with Electrical utility / Transmission line shifting as part of preparatory works for Kochi Metro Phase-II project:**

Based on the request of KMRL, Kerala State Electricity Board through their Board Order dated 09.05.2013 (Attached as Exhibit -1) has decided that,

*"1. In the light of the GO dated 31/10/2013, the supervision charges payable by M/s Delhi Metro Rail Corporation to KSEB for the works in connection with the proposed Kochi Metro Rail Project be waived."*

Based on the Board Order dated 09.05.2013, supervision charges payable to KSEBL for the electrical utility shifting works (both distribution and transmission) as part of preparatory works for Phase I project (ALUVA to PETTA to THRIPOONITHURA) of Kochi Metro had been waived-off by KSEBL. The Phase-I of Kochi Metro Rail Project was executed by Delhi Metro Rail Corporation, on behalf of KMRL.

- 2.1** Further to the above, In-principle approval for extension of Kochi Metro Project from Jawaharlal Nehru Stadium Station to Info-park-II station, for a route length of 11.2 km and 11 stations, designated as Phase-II of Kochi Metro Rail Project has been accorded by Ministry of Housing and Urban

Affairs vide their office memorandum dated 25.02.2019 (Attached as Exhibit -2) and the final sanction is expected shortly.

- 2.2** Government of Kerala has accorded sanction for preparatory works for Kochi Metro Phase-II project vide their orders No. G.O.(Ms) No. 13/2016/Trans dated 08.02.2016 and G.O.(Ms)No.73/2018/TRANS dated 17.12.2018. The preparatory works of Phase-II project shall include widening of roads along the proposed corridor, shifting of electrical and other utilities along the alignment. The electrical utility shifting works will involve shifting of LT/HT power lines and shifting/raising height of EHT tower lines, so as to maintain statutory electrical clearance from the conductors to the metro viaduct, as the preparatory works prior to commencement of the metro construction activities.
- 2.3** Shifting of LT/HT power lines and service connections are carried-out by converting the OH lines to UG cables & laying it through concrete ducts, converting the DP structure to RMU, providing feeder pillars and providing additional feeder capacities for future use by KSEBL. Execution of the works results into modernisation, capacity enhancement, reliability of power supply in favour of KSEBL and ensure the safety of the public & the workmen of the licensee.
- 2.4** Both Phase-I & Phase-II are part of Kochi Metro Rail project. The same rationale behind waiving off of supervision charges payable by DMRC to KSEB for Phase-I project is also holds good for Phase-II project. The Phase-II works are planned to be executed directly by KMRL themselves without the involvement of DMRC.
- 2.5** There are SEVEN Nos of EHT tower line crossings in the proposed Phase-II alignment, all of them are required to be shifted or height raised to avoid infringements and to obtain required electrical safety clearance between the EHT conductors and the Metro viaduct. This is necessitated because the proposed Metro corridor is constructed as a viaduct throughout the alignment, so as to reduce the demolition of buildings along the corridor thereby mitigating inconvenience to the general public. Based on the request by KMRL, KSEBL has already accorded administrative sanction for the EHT Tower line shifting works through the Board Order Nos, B.O(FTD) No.565/2020/D(T&SO)/T3klsy/KMRL/2020-21 dated:08.09.2020 and B.O(FTD) No.113/2021/D(T&SO)/T3/klsy/KMRL/2020-21 dated:08.02.2021 (Attached as Exhibit -3 & 4)
- 2.6** The supervision charges for shifting of the SEVEN EHT tower line crossings works as part of extension of Kochi Metro Rail from JLN stadium station to Kakkanad (Phase II) comes to the tune of Rs. 2,16,27,970.00 (Rupees Two Crore Sixteen Lakhs Twenty-Seven Thousand Nine Hundred and Seventy only). In addition to this, the supervision charges for distribution utility shifting works is estimated about Rs. 60 Lakhs. These charges will be added to the total project completion cost, which will in turn reflect

onto the train fare for the public. Most of the commuters expected to be travelling in the JLN stadium Infopark route is the working class people in the SEZ, Infopark, and downtrodden society for redressal of their grievances at District collectorate situated at Kakkanad.

- 2.7** KMRL has approached KSEBL with a request to waive-off supervision charges for the said utility / EHT Tower shifting works through the letter No. KMRL/SYS/P&T/2019/105 dated 10.04.2019. KSEBL has informed KMRL that the supervision charges shall be applicable to KMRL, which in the case of EHT tower crossing works are 10% of the estimated cost, which was communicated through letter No. D (D, IT&HRM)/D2/Genl-Kochi Metro/202-21 dated 16.04.2021 (Attached as Exhibit - 5). Similarly, it was communicated by KSEBL that the supervision charges applicable in the case of HT/LT line works are 10% of the labour charges vide letter No. D(D&IT)/D2/Genl-Kochi Metro/2019-20/647 dated 21.08.2019 (Attached as Exhibit - 6). Accordingly, supervision charges to the tune of RS. 2,16,27,970.00 for EHT Tower line crossing works and Rs. 60 Lakhs for HT/LT shifting works have already been paid to KSEBL, so as to achieve progress in the preparatory works of KMRL.
- 2.8** Under Order No. B.O. (FTD) No. 198/2021(KSEB/TRAC/SC/R3/2019) dated:03.03.2021 (Attached as Exhibit-7), KSEBL has stated that the subject matter related to KMRL is being referred to Hon. KSERC by the Government of Kerala. Based on the reference of Government, Honourable Commission conducted hearing (KMRL was not intimated regarding the hearing) and the decision is awaited.
- 2.9** KSEBL, through Board Order No. B.O. (FTD) No. 198/2021(KSEB/TRAC/SC/R3/2019) dated:03.03.2021, has accorded sanction for filing petition before Hon'ble KSERC in order to waive off the supervision charges in favour of KIIFB projects. Based on the order, KSEBL has filed a petition to waive off supervision charges in favour of KIIFB projects, before the Hon'ble KSERC. The Hon'ble KSERC admitted the petition as OP No. 22/2021 and conducted a hearing on 05.05.2021. Hon'ble KSERC has issued orders dated 05.05.2021 in Petition OP No. 22/2021(attached as exhibit -8) and directed KSEBL to exclude supervision charge (administrative and overhead charges) for the works in connection with the electrical utility shifting in respect of the projects financed by KIIFB, considering large public interest involved. Since KIIFB and Kochi Metro Rail Projects are being funded by Government of Kerala and both are of high value infrastructure projects benefitting large section of public, consideration extended to KIIFB projects are justified to be made applicable to KMRL projects also.
- 2.10** Metro Rail System has become the transport life line of the city of Kochi and considered as an essential service and the Phase-II project of Kochi Metro from JLN Stadium to Kakkanad be a project of mass public interest

and once it is opened to public, the traffic congestion in route from JLN Stadium to Kakkanad, Info Park Phase I & II will be drastically reduced. Phase-II of Kochi Metro Project is a Mass Infrastructure Project keenly sought after by the Public of Kerala. To enable KMRL to complete the project in financially viable manner, treating the works as part of service to the public, the burden of supervision charges for utility shifting as part of the preparatory works may be exempted. Accordingly, it is earnestly requested that Hon'ble Commission may kindly issue necessary orders to exempt KMRL from paying supervision charges to KSEBL for the Electrical Utility shifting works for LT & HT/ SEVEN EHT Tower line crossing works as part of preparatory works for Kochi Metro Phase-II project.

## **PART-II**

### **3. Inclusion of EV Charging Tariff in KMRL invoices:**

Vide Kerala Government Order GO(MS) No. 24/2019/Trans dated:10.03.2019 Government of Kerala had published Electric Vehicle policy for the State of Kerala (Attached as Exhibit-9). From the policy, GoK is envisioned to have 1 million Electric Vehicles on road by 2022. To adhere to the policy and promote E-mobility, KMRL has also taken initiative to set up Electric Vehicle charging stations as part of the Metro Rail stations, most of which are located in the National highway/ State highway.

- 3.1** Presently, tariff order applicable to KMRL is the Order dated: 12.07.2017 under RP No.4/2017, along with further amendments vide Order issued dated:15.09.2020 under OP No.10/2020 by Hon'ble Kerala State Electricity Regulatory Commission, Thiruvananthapuram. Accordingly, Honourable commission has permitted KMRL to have THREE tariffs in a single invoice in favour of KMRL.
- 3.2** Relevant Extract of the Order of Hon'ble Kerala State Electricity Regulatory Commission, Thiruvananthapuram dated: 15.09.2020 based on the Petition No. OP.10/2020 of KMRL is reproduced below:

#### **Orders of the Commission**

- (2) **Second prayer of the petitioner to extend the method of billing for commercial load issued by the Commission in its Order dated 12.07.2017 in RP No. 04/2017, is approved as detailed under paragraph 22 of this Order.**
22. Under Petition No. OP.10/2020, Honourable Commission has examined the proposal of KMRL to modify the sub - paragraph (c) in the paragraph 22 of the Order of the Commission dated 12.07.2017 in petition RP No. 04/2017, and ordered as reproduced below.

***"The commercial loads at each of the Metro Stations of KMRL are to be metered at one point at each of the Auxiliary Transformers installed at each metro station by KSEB Ltd. The total energy consumption of such commercial loads shall be billed at the applicable energy charges of LT VII A tariff or at such category of tariff as notified by the Commission. KMRL corporate office load is to be metered separately at JLN Metro Station at Kaloor through separate feeder/ auxiliary transformer by KSEB Ltd at the applicable energy charges of LT VI (B)/HT II(A) tariff or at such category of tariff as notified by the Commission. The consumption of commercial loads and corporate office load is to be deducted from the total consumption recorded at KMRL point of supply at Muttom for billing the traction load. A single bill for the traction load is to be issued along with charges for commercial consumption and KMRL corporate office consumption as above."***

- 3.3** Presently, the power supply for Electric Vehicle charging stations are being fed from commercial power supply panels and it is considered as commercial loads and being charged at LT VIIA tariff as per the procedures laid down in Hon'ble KSERC Order on petition RP No. 04/2017 dated 12.07.2017 and further amendment through Hon'ble KSERC order on petition No. OP.10/2020 dated:15.09.2020.
- 3.4** Since the enactment of EV policy, many firms have approached KMRL to set up Electric Vehicle charging stations at KMRL premises. In line with the Electric Vehicle policy of the Government of Kerala, KMRL is in discussion with service providers for last mile connectivity using electric vehicles. During the discussions, firms have pointed out that tariff for EV charging stations are LT-X or HT-VI, and they need to be charged only at the rates approved by Hon'ble commission applicable to EV charging, and not at the commercial rates. Hence it is justified that KMRL can be permitted to include the EV charging tariff also in the KMRL invoices.
- 3.5** Hence, it is requested that, Hon'ble Commission to issue necessary amendment to the order under para 22 in petition No. OP.10/2020 dated 15.09.2020 to include tariff **LT-X: Electric Vehicle Charging Stations or HT-VI: Electric Vehicle Charging Stations**, in order to permit KMRL to establish Electric Vehicle Charging stations at metro station premises, with the support of interested partners, and the electrical energy to be billed at LT-X or HT-VI tariff by using separate energy meter/s at KMRL stations. The consumption of Electrical Vehicle Charging stations is to be deducted from the total consumption recorded at KMRL point of supply for billing the KMRL loads. A single bill for the KMRL loads may be issued along with charges for commercial consumption, KMRL corporate office consumption and Electrical Vehicle Charging Station consumption.

## **PRAYER**

1. Humbly requested that, Hon'ble Commission may kindly issue necessary orders for exempting KMRL from paying supervision charge (administrative and overhead charges) by KSEBL for the works in connection with the SHIFTING OF ELECTRICAL UTILITY (HT/LT) and EHT TRANSMISSION LINE works, as part of preparatory works for Kochi Metro Phase-II project. It is also requested that the supervision charges already paid may be reimbursed / adjusted in the future invoices.
2. Humbly requested that, Hon'ble Commission may kindly issue necessary orders to amend the order under para 22 of petition No. OP.10/2020 dated 15.09.2020 to include tariff **LT-X: Electric Vehicle Charging Stations/ HT-VI: Electric Vehicle Charging Stations tariff or at such category of tariff as notified by the Commission** in the KMRL invoices, to permit KMRL electrical energy to be billed at LT-X/HT-VI tariff by using separate energy meter/s at Metro Stations. The consumption of EV Charging stations to be metered separately by KSEB Ltd at the applicable energy charges of LT-X/HT-VI tariff or at such category of tariff as notified by the Commission, is to be deducted from the total consumption recorded at KMRL point of supply for billing the KMRL Tariff load. A single invoice for the KMRL load may be issued by KSEBL along with charges for commercial consumption, KMRL corporate office consumption and EV Charging Station consumption.

Dated this the ..... day of September 2021.

Chief General Manager (RS&E)/KMRL