

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

Present: Shri. Preman Dinaraj

IA.No. 09/2020

In the matter of : Condonation of delay in filing Truing up petition of 2017-18

Petitioner : M/s KINESCO Power and Utilities Private Limited

Order dated 13-11-2020

1. Instant petition is for condoning the delay in filing the Truing up petition for the year 2017-18 by M/s KINESCO Power and Utilities Private Limited. As per Regulation 10(2) of the KSERC (Terms and conditions for determination of Tariff) Regulations 2018, the petition for Truing Up for 2017-18 was to be filed by the licensee on or before 01-01-2019. The petitioner states that the delay was occurred on account of the following reasons:
 - a. The truing up petitions for the period 2004-05 to 2014-15 had to be prepared a fresh and the Orders for the same was issued on 31-03-2020. This was involving processing of large amount of data which consumed lot of time and all the personal were engaged for this work.
 - b. The truing up petitions for 2015-16 and 2016-17 also were filed with the commission during the same period
 - c. ARR&ERC for the period 2018-19 to 2021-22 was also filed and revised during the above period.
 - d. The out break of COVID-19 pandemic and consequent lockdown also contributed to the delay.
 - e. KPUPL is running with only limited personal, who were completely engaged and this also contributed to delay in filing petition.
2. The Commission examined the matter and the reasons given by the licensee for condoning the delay. As per the provisions of the Regulation, the petition for Truing Up for 2017-18 is to be filed by 01-01-2019. The Commission had vide letter dated 09-09-2020 directed all licensees to file pending Truing Up petition by 15-10-2020. Based on the same the licensee filed the petition on 30-09-2020. Since the petition was defective on account of delay in filing the petition, the Commission notified the licensee of the fact vide letter dated 06-10-2020. In this regard the petitioner

submitted a request letter dated 13-10-2020 for exempting from remitting fee on condonation petition and the Commission rejected the request of petitioner. Thereafter, the licensee filed the petition for Condonation of delay vide letter dated 10-11-2020.

3. The Commission also examined the reasons furnished by the licensee. There is a delay of 21 months in filing the petition. It is to be noted that the Truing Up Order for the period 2004-05 to 2014-15, Order for the period 2015-16 and 2016-17 for the licensee was issued only on 31-03-2020, 30-07-2020 and 19-08-2020. The Commission after considering the submission of the petitioner and the above said facts is of the view that the delay can be condoned.

Orders of the Commission

4. After considering the matter in detail, the Commission hereby condones the delay of 21 months in the filing and admit the petition on Truing up of Accounts for 2017-18 of the licensee for further processing. Issue notice to the petitioner.

Sd/-
Preman Dinaraj

Chairman

Approved for Issue

Secretary (i/c)