

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

Present: Shri. Preman Dinaraj

Adv. A.J.Wilson, Member (Law)

IA.No. 02/2021

In the matter of : Condonation of delay in filing of Truing Up petition of 2018-19
Petitioner : M/s Smart City (Kochi) Infrastructure Private Limited

Order dated 19-01-2021

1. Instant petition is for condoning the delay in filing of the Truing up petition for the year 2018-19 by M/s Smart City (Kochi) Infrastructure 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 2018-19 is to be filed by the licensee on or before 30- 11-2019. The petitioner states that the delay occurred on account of the following reasons:
 - a) While preparing the formats for the truing up petition, lockdown on account of Covid-19 was announced from the last week of March and the office was closed for about six weeks. After the lifting of lock down, the office of the licensee has been functioning with limited staff strength. This resulted in delay in finalising the truing up petition and its filing.
 - b) Smart City is running with only limited personal, who were completely engaged and this also contributed to delay in filing petition.
 - c) The ARR&ERC Order of the licensee for the MYT period 2018-19 to 2021-22 was issued by the Commission on 08-11-2019 (OA 02/2019).
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 2018-19 is to be filed by 30-11-2019. The Commission vide letter dated 09-09-2020 had directed all licensees to file pending Truing Up petition by 15-10-2020. In this regard the petitioner submitted a request letter dated 13-10-2020 for time extension for submission of Truing Up petition up to 45 days. The Commission accepted the request of the petitioner and further extended 45 days from the due date. Based on the same the licensee filed the petition on 04-12-

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 11-12-2020. Thereafter, the licensee filed the petition for Condonation of delay vide letter dated 15-01-2021.

3. The Commission examined the reasons furnished by the licensee. There is a delay of 12 months in filing the petition. It is to be noted that the ARR&ERC Order for the licensee for the control period was issued only on 08-11-2019. Though the same may not explain the complete delay, the Commission after considering the matters relating to lockdown, 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 12 months in the filing and admit the petition on Truing up of Accounts for 2018-19 of the licensee for further processing. Issue notice to the petitioner.

Sd/-
Adv. A.J. Wilson
Member (Law)

Sd/-
Preman Dinaraj
Chairman

Approved for Issue
Sd/-
Secretary (i/c)