

BEFORE THE HON'BLE KERALA STATE ELECTRICITY REGULATORY COMMISSION

In the matter of: Review Petition under section 94(f) of the Electricity Act, 2003 read with Regulation 67 of KSERC (Conduct of Business) Regulations, 2003 seeking review of the order dated 28-8-2021 in OP 28/2021 with respect to limited ground on the directions for energy accounting of all open access transactions from 05/ 2021 to 28/8/2021 as ordered by Hon'ble Commission in the said order.

Petitioner: **Kerala State Electricity Board Limited,**
VydyuthiBhavan, Pattom,
Thiruvananthapuram – 695 004.

Respondents: 1. **The Kerala High Tension and Extra High Tension Industrial Electricity Consumers' Association,** Productivity House, Jawaharlal Nehru Road, Kalamassery 683102, Ernakulam District, Kerala.

2. **Carborandum Universal Limited,** Electrominerals Division, P. B. No- 1 Kalamassery Development Plot P.O South Kalamassery. Ernakulam.

KSEBL MOST HUMBLY STATES THAT:

1. The petitioner, Kerala State Electricity Board Limited (KSEBL), is an integrated State Public Sector power utility company constituted by the State Government. KSEBL is carrying out the Generation, Transmission and Distribution functions through three strategic business units.
2. The instant petition is filed seeking a review of the order dated 28-8-2021 in OP 28/2021 with respect to limited ground on the directions for energy accounting of all open access transactions from 05/ 2021 to 28/8/2021 as ordered by Hon'ble Commission in the said order. A brief background of the matter is submitted below.

Background of the petition:

3. Hon'ble Commission vide the notification No. 1824/CT/KSERC/2012 dated 10th September 2013 has notified the KSERC (Connectivity and Intra-State Open Access) Regulations, 2013 (herein after referred as Open Access Regulations) governing the regulations for open access in the State. Subsequently, as per the provision of the Open Access Regulations, 2013, the Commission has approved the 'Detailed procedure for grant of connectivity and open access in intra-state transmission system (herein after referred as 'Detailed Procedure').
4. At present there are about 56 numbers of Short term Open Access consumers

registered with SLDC. The short term open access power purchase by embedded consumers are purely based on the 15 minutes block wise cost of power in the power market i.e. from IEX through collective transactions.

5. Eventhough the Open Access Regulations and detailed procedure provide that the embedded open access consumers shall in advance provide the 15 minutes time-block wise drawal schedules from KSEB Ltd., after accounting for the power availed on open access, before 10:00 Hrs of the previous day, this was not being adhered to by the open access consumers.
6. They purchase power through power exchange whenever delivered price is lower than KSERC determined tariff. The energy bought under Open access is seen varying according to the trend of prices in Power Exchange. Drawals /actual schedules in respective blocks by consumers were significantly different from the power sourced from power exchange and there were under drawals most often.
7. The State Utility had to rework its LGB (Load Generation Balance) as per the finalized Open Access schedules in the Exchange. KSEB prepare and plan its deviation based on such a fine-tuned LGB.
8. Drastic variations of open access schedules in real time make the DSM compliance including sign change difficult and sometimes impossible leading to penalties.
9. The open access consumers of the State are not charged for the deviations made by them from the schedule as intrastate DSM regulations are yet to be notified in the State by KSERC. So the charges for deviation made by open access consumers are now being borne by KSEBL.
10. To make matters further worse, the open access energy scheduled by consumers through power exchanges were not always fully utilised in the same time block itself by the consumers. There were instances of under drawal of scheduled open access. Whenever the actual drawal through open access becomes less than the scheduled open access, there will be a situation of deemed injection to the grid.
11. Since there is no time block wise energy accounting, the under drawal in certain time blocks gets merged against over drawal in other time blocks, leading to banking of open access energy.
12. Open access consumers are benefitted by this method of accounting as they can under draw (drawing less than energy purchased through exchange) in time blocks when rate of power in exchange is less and this surplus power in their credit can be used to adjust the energy in any other time blocks during which no purchase from power exchange was done by them due to higher price.
13. **Banking of OA energy is not allowed as per the Regulations. Further this leads to loss to the Licensee which is ultimately borne by the ordinary consumers of**

the State. With increase in the open access quantum, the extent of such banking and loss becomes substantial. This is in addition to the penalties to be borne by KSEBL for interstate deviations caused by the deviations made by these open access consumers.

14. **SLDC while issuing NOC for open access has been repeatedly directing OA consumers to restrict their OA drawal to their real time requirement. However, under drawal of scheduled OA was continuing.**
15. The matter was brought before Hon'ble Commission by KSEBL in the petition filed by M/s.HINDALCO, (an embedded open access consumer who has also installed solar plants for captive use) before this Hon'ble Commission in OP 29/2020.
16. After analyzing the entire aspects in detail, Hon'ble Commission in the order dated 23-3-2021 in the petition filed by HINDALCO, issued following orders:

“Order of the Commission

29. The Commission, after careful examination of the petition by M/s Hindalco Industries Limited, the arguments of the respondent KSEB Ltd, the remarks of the SLDC, Chief Electrical Inspectorate and ANERT, as per the provisions of the Electricity Act, 2003 and the various Regulations notified by the State and Central Commission related to renewable energy, hereby order the following.

(1) Allow the petitioner HINDALCO Industries Ltd, to maintain the 1 MW Solar plant with REC benefits and 2 MW Solar plant with banking facilities in the same premises as two separate Solar plants, subject to the safe and reliable working of the Programmable Logic Controller (PLC) based interlocking system installed by the petitioner, and also subjected to the other conditions specified under paragraph 22 of this order.

(2) As suggested by the petitioner HINDALCO Industries Ltd, and also as agreed by the SLDC Kerala, the SLDC shall adopt the 15minute energy accounting for the petitioner and similar open access consumers. However, the monthly bills of the petitioner and open access consumers shall be prepared for the accounted energy based on the ToD tariff on monthly basis as per the Tariff orders issued by the Commission from time to time.”

17. Hon'ble Commission while issuing the above order had observed the following with respect to underdrawal:

“26. The Commission noted the submission of the petitioner M/s HINDALCO, respondent KSEB Ltd and SLDC in this regard. As per the KSERC (Connectivity and Intra-State Open Access) Regulations, 2013, and also as per the Detailed Procedure approved by the Commission as per Regulation 55(3) of KSERC (Connectivity and Intra-state Open Access) Regulations, 2013, SLDC is the authorised agency for the energy accounting of all open access transactions. SLDC submitted that, they are capable of accounting the 15 minute time block wise energy transactions of all open access consumers as per the KSERC (Connectivity and Intra-State Open Access)

Regulations, 2013. The Commission has no objection to proceed with 15 minute time block wise energy accounting of open access consumers, if the SLDC is capable of doing so. However, the billing of electricity charges for all the embedded HT&EHT open consumers shall be done as per the prevailing ToD tariff on monthly basis, as per the Tariff orders issued by the Commission from time to time.

27. With the above observations, the Commission hereby permits the SLDC for adopting 15 minute block wise energy accounting of all open access consumers including the petitioner so that the deemed injection by the open access consumers can be avoided. However, the billing of electricity charges for all the embedded HT&EHT open consumers shall be done as per the ToD tariff on monthly basis as per the Tariff Order issued by the Commission from time to time.”

18. **Therefore, in the above order, Hon’ble Commission had specifically stated that the order is applicable for all open access consumers including HINDALCO.**

19. In due compliance with the order of Hon’ble Commission, KSEBL had implemented 15 minutes time block wise accounting of energy for all open access consumers from 5/2021 onwards.

20. Aggrieved by the action of KSEBL, M/s Kerala High Tension and Extra High Tension Industrial Electricity Consumers' Association, filed a petition before the Commission on 17.06.2021, in the matter of ‘Removal of difficulties due to Licensee taking the underutilized Energy Scheduled by Embedded Open Access consumers through Day Ahead Inter-State Short Term Open Access (Collective transaction)’, with the following prayers:

- (i) Issue a direction clarifying the applicability of the Order vide; OP No.29/ 2020 to non-similar Open Access consumers;
- (ii) Enact a Deviation Settlement Mechanism (DSM) Regulation for the State of Kerala, in line with the DSM Regulations of CERC;
- (iii) Amend the KSERC (Connectivity and Intra-state Open Access) Regulations, 2013 and the detailed procedure for Open Access, incorporating the Deviation Settlement Mechanism for under drawal of Embedded Open Access consumers.

21. Hon’ble Commission vide order dated 28-8-2021 issued following orders on the petition:

“Orders of the Commission

19. The Commission, after due examination of; the petition & the IAs, the Open Access Regulations and the detailed procedure published, averments of the petitioners and the licensee during the hearing, the provisions under the Indian Electricity Grid Code and the Electricity Act 2003, the notified energy accounting procedures & systems in force, and the related documents produced, hereby orders as follows:-

1) *In view of the SLDC submission that they are capable of 15 minute time block wise energy accounting for the embedded open access consumers, **the order dated 23.03.2021 in OP No. 29/2020 regarding the adoption of 15 minute time block wise energy accounting of open access consumers is now made applicable to all the open access consumers in the State.***

2) *The action of SLDC/ KSEBL in revising the energy accounting system of all open access transactions from 05/ 2021 is however not in order, since the OP No. 29/2020 pertains to certain specific issues and it was during the hearing on that petition that the present issue of open access drawal emerged. However, since the petitioners were not a party to that OP and its proceedings, the Order dated 23.03.2021 is applicable only to similar embedded open access consumers i.e. consumers having their own generation, open access and are embedded consumer of KSEB Ltd.*

3) *It is hereby ordered that, the adoption of 15 minute time block wise energy accounting of open access consumers shall be applicable to all the embedded open access consumers in the State from the date of this Order. The bills issued till now shall be revised and adjusted accordingly.*

4) *KSEB Ltd. shall prepare the monthly bills of the embedded open access consumers for the accounted energy based on the ToD tariff on monthly basis as per the Tariff orders issued by the Commission from time to time.*

5) *The open access consumers can have the real time consumption data locally, if required. On receipt of such a request from the consumer, the licensee shall provide without delay, the necessary assistance for installing the facility at the consumer premises for monitoring their real time consumption data.*

6) *KSEBL shall promptly intimate all the planned outages to the concerned consumers at least 48 hours in advance. Further consumers with critical loads shall make appropriate arrangements for standby feeder/ backup generation to meet any unscheduled emergency outages.*

7) *The Open Access Regulations in force in the State do not have provision for compensating the under drawal of embedded consumers, except as a result of non-availability of the distribution system or unscheduled load shedding. In the case of under drawal due to non availability of the distribution system or unscheduled load shedding, the consumer shall promptly notify the same to the distribution licensee and SLDC for approval, certification and for eligible compensation. Any disputes in this regard, shall be referred to the Co-ordination Committee and the Committee shall resolve the same as specified in Regulation 62 of the Open Access Regulations.*

The petition OP No. 28/ 2021 and the IAs (09/21, 10/21, 11/21 & 12/21) are disposed off as ordered above.”

22. As per the above order, the action of SLDC/ KSEBL in revising the energy accounting system of all open access transactions from 05/ 2021 as per the earlier order of Hon'ble Commission dated 23.03.2021 in OP No. 29/2020 has been invalidated. The said direction is not in line with the provisions in the Open Access Regulations and the detailed procedure approved thereunder. The said direction has validated an illegal

action of banking of open access energy which is not allowed as per Regulations. Further, the said direction has caused huge loss to KSEBL which is ultimately passed on to the consumers of the State as KSEBL has to reimburse an amount of Rs.1.41 Cr, withheld from open access consumers as part of implementation of order dated 23-3-2021 in OP 29/2020 as submitted below.

Month	Amount to be reimbursed (Rs.Cr.)
May	0.69
June	0.32
July	0.34
August	0.06
Total	1.41

23. Hon'ble Commission has issued the above order without considering the fact that the Open Access Regulations issued by Commission and the detailed procedure approved stipulate 15minute energy accounting for open access consumers. The relevant provisions in the Regulation and procedure are extracted below.

- i) As per the Regulation 35(2) of the Open Access Regulations, 2013, the scheduling of the intra-state open access shall be done by SLDC in accordance with the detailed procedure approved by the Commission. The paragraph 23 of the detailed procedure deals with schedule of power by Open Access consumers. The relevant paragraph is extracted below for ready reference.

Quote:

"23. Scheduling

23.1 Each open Access customer (generating company, trader, etc.) shall provide the schedule to SLDC for each 15 minutes time block for a day, on a day ahead- basis by 10.00Hrs with intimation to STU & Distribution Licensee. If it is requiring to wheel electricity from more than one generating station with the interface points located at different locations, they shall submit separate schedule for the injection from each generators.

23.2 SLDC will intimate the above schedule, station wise MW / 15 minute block entitlements to the respective beneficiaries by 11.00Hrs. Beneficiaries shall communicate the station-wise requisitions and details of bilateral exchanges to SLDC by 14.00Hrs.

23.3 SLDC shall convey the ex-power plant despatch schedule to each station and net drawal schedule to each beneficiary by 17.00Hrs.

23.4 Generating Stations / Beneficiaries shall inform the modifications, if any, for incorporating in the final schedule by 21.00Hrs

23.5 SLDC shall issue the final despatch and drawal schedule by 23.00Hrs to the respective open access customers.

23.6 Wind generators under RRF mechanism shall declare their schedule up to

70% of the capacity, as above.

- 23.7 In the event of failure to submit the schedule in accordance with above clause, latest wheeling schedule available with SLDC shall be treated as effective schedule.
- 23.8 The sum total of the capacity allocation by an open access Generator for any time block to the entire schedule shall not exceed the available capacity from the generating plant being not higher than the installed capacity or contracted open access capacity, whichever is lower.
- 23.9 The embedded open access consumers and limited open access consumers shall in advance provide the 15 minutes time-block wise drawal schedules from KSEB Ltd., after accounting for the power availed on open access, before 10:00 Hrs of the previous day. Any deviation from schedule and gaming would be penalized as specified by the Commission.
- 23.10 The customer's coordinator, shall coordinate with each of the other Utilities involved, and furnish the transaction details to each of the licensees and STU involved, on a daily basis, so as to enable the SLDC to incorporate the transaction in the day-ahead schedules and revisions thereof for the 96 time blocks. In case mismatches are found in the transaction details it will not be possible for SLDC to schedule the same and the customer shall be intimated accordingly.
- 23.11 The ramp-up/ramp-down, if required, in the daily schedules on account of such transactions, shall commence at the time of commencement of the transaction and shall end at the time of termination of the transaction.
- 23.12 Rescheduling of transactions, if any, required would be as per provisions in the state grid code.”
Unquote:

Thus, as per the paragraph 23.9 of the detailed procedure as above, the embedded Open Access consumers also has to provide 15 minutes time block wise drawal schedule from KSEB Ltd and the power proposed to be availed on Open Access, by 10:00 hrs of the previous day. Any deviation from schedule and gaming would be penalized as specified by the Commission.

- ii) The energy accounting of embedded Open Access consumers are dealt under paragraph 31.20 to 31.24 of the detailed procedure, which is also extracted below.

Quote:

“Accounting of Embedded short-term Open Access Consumers:

31.20 In case actual energy drawal is more than the scheduled drawal and the recorded maximum demand is within the contract demand, customer shall be liable to pay for such over drawal at the applicable tariff rates for each time zone as determined by the Commission from time to time.

31.21 In case the actual drawal of energy is more than the scheduled energy drawal and the total recorded maximum demand is more than the contracted demand in any

time block, payment for the capacity over and above the contract demand, shall have to be made at the penal rate as specified by the Commission for such categories of customers in the tariff schedule from time to time.

31.22 In the case of under drawal as a result of non-availability of the distribution system or unscheduled load shedding, the embedded open access customer shall be compensated by the distribution licensee by an equal quantum of energy injected by the participating generator in the same time block and the generator will not be eligible for any compensatory payments for that quantum of energy.

31.23 Distribution License shall make necessary computation on the above deviation based on Interface Meter reading, interruption details etc.

31.24 The accounts will be settled on monthly basis.”

Unquote:

- iii) Regulation 45(4) deals with deviation from schedule by open access customer who is also an embedded open access consumer:

Quote:

“45(4) In the case of deviation by open access customer who is also an embedded open access consumer of distribution licensee, the difference between the applicable scheduled open access energy and actual drawal shall be accounted and settled in accordance with the following:

(a) In case actual energy drawal is more than the scheduled drawal and the recorded maximum demand is within the contract demand, customer shall be liable to pay for such over drawal at the applicable tariff rates as determined by the Commission from time to time.

(b) In case the actual drawal of energy is more than the scheduled energy drawal and the total recorded maximum demand is more than the contracted demand, payment for the capacity over and above the contract demand, shall have to be made at the penal rate as specified by the Commission for such categories of customers in the tariff schedule from time to time.

(c) In the case of under drawal as a result of non-availability of the distribution system or unscheduled load shedding, the open access customer (who is also embedded consumer) shall be compensated by the distribution licensee by an equal quantum of energy injected by the participating generator in the same time block and the generator will not be eligible for any compensatory payments for that quantum of energy. [Explanation.- For the purpose of this regulation, unscheduled load shedding means, load shedding during hours other than the hours for which load shedding has been announced by the distribution licensee after obtaining approval from the Commission and will also include unscheduled shutdowns of lines.]”

Unquote:

- iv) The pricing of unscheduled interchange is stipulated as submitted below.

Quote:

“43. Unscheduled interchange (UI) pricing.- *The Commission may, from time to time, as the occasion may require, by separate order, and in accordance with tariff*

policy issued under section 3 of the Act, determine the unscheduled interchangecharges payable by the generators, licensees and consumers:

Provided that the actual payment of such unscheduled interchange charges may be deferred by the Commission till such period which may be determined by the Commission having regard to the extent of demand for open access and the extent of involvement of private operators in power generation and distribution:

Provided further that this regulation is applicable only when intra-state availability based tariff system is introduced in the State.”

Unquote:

v) On a conjoint reading of the various provisions in the Open Access Regulations and the detailed procedure, following are submitted:

- 1) The embedded open access consumers and limited open access consumers shall in advance provide the 15 minutes time-block wise drawal schedules from KSEB Ltd., after accounting for the power availed on open access, before 10:00 Hrs of the previous day.
- 2) Any deviation from schedule and gaming would be penalized as specified by the Commission.
- 3) In case actual energy drawal is more than the scheduled drawal and the recorded maximum demand is within the contract demand, customer shall be liable to pay for such over drawal at the applicable tariff rates for each time zone as determined by the Commission from time to time.
- 4) In case the actual drawal of energy is more than the scheduled energy drawal and the total recorded maximum demand is more than the contracted demand in any time block, payment for the capacity over and above the contract demand, shall have to be made at the penal rate as specified by the Commission for such categories of customers in the tariff schedule from time to time.
- 5) In the case of under drawal as a result of non-availability of the distribution system or unscheduled load shedding, the embedded open access customer shall be compensated by the distribution licensee by an equal quantum of energy injected by the participating generator in the same time block and the generator will not be eligible for any compensatory payments for that quantum of energy.
- 6) Actual payment of such unscheduled interchange charges may be deferred by the Commission till such period which may be determined by the Commission having regard to the extent of demand for open access and the extent of involvement of private operators in power generation and distribution:

vi) Thus, as per the Open Access Regulations and the detailed procedure, energy accounting of open access consumers shall be on 15 minute time block basis and any deviation from schedule and gaming would be penalized as specified by the Commission.

vii) Hon'ble Commission duly considering the fact that banking of open access energy is illegal had ordered the following vide the order dated **23-3-2021** in OP No. 29/2020 of HINDALCO, Hon'ble Commission had observed the following.

*“ 27. With the above observations, the Commission hereby permits the SLDC for adopting 15 minute block wise energy accounting of **all open access consumers including the petitioner** so that the deemed injection by the open access consumers can be avoided....”*

viii) However, in the order dated 28-8-2021 in OP 28/2021, Hon'ble Commission has allowed the open access consumers to carryout the banking of open access energy for the period from 5/2021 to 28-8-2021, eventhough it is not allowed as per Regulations and illegal. Hon'ble Commission through this order has also gone into the extent of directing KSEBL to reimburse the amount withheld by KSEBL for such improper action of the open access consumers, even when the Regulations have no provision for any payment in case of under drawal.

ix) Hon'ble Commission in the order dated 28-8-2021 in OP 28/2021 had specifically stated the following:

“19(7) The Open Access Regulations in force in the State do not have provision for compensating the under drawal of embedded consumers, except as a result of non-availability of the distribution system or unscheduled load shedding..”

x) Having ordered the above, the direction in 19(3) of order dated 28-8-2021 in OP28/2021 directing that the adoption of 15 minute time block wise energy accounting of open access consumers shall be applicable to all the embedded open access consumers in the State from the date of this Order along with the direction that the bills issued till now shall be revised and adjusted accordingly are in contradiction with each other as revising the bills and adjusting without 15 time block wise accounting will lead to compensating the under drawal of embedded consumers. Therefore, there is an apparent error in the order dated 28-8-2021 of Hon'ble Commission.

xi) The instant petition is filed seeking review of the order dated 28-8-2021 in OP 28/2021 with respect to limited ground on the directions for energy accounting of all open access transactions from 05/ 2021 to 28/8/2021 as ordered by Hon'ble Commission in the said order.

xii) Order 47 Rule 1 of the Code of Civil Procedure dealing with review of the orders and decisions of a Civil court is quoted below:

“ Application for review of judgment.-(1) Any person considering himself aggrieved,— (a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred, (b) by a decree or order from which no appeal is allowed, or (C)

by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order. (2) A party who is not appealing from a decree or order may apply for a review of judgment notwithstanding the pendency of an appeal by some other party except where the ground of such appeal is common to the applicant and the appellant, or when, being respondent, he can present to the Appellate Court the case on which he applies for the review. Explanation : The fact that the decision on a question of law on which the judgment of the court is based has been reversed or modified by the subsequent decision of a superior court in any other case, shall not be a ground for the review of such judgment.”

- xiii) Considering the huge amount to be reimbursed to the open access consumers, which could not be produced by KSEBL before Hon'ble Commission when the order was passed and also the apparent error in the order as submitted above, KSEBL humbly request Hon'ble Commission to review the order dated 28-8-2021 in OP 28/2021 with respect to limited ground on the directions for energy accounting of all open access transactions from 05/ 2021 to 28/8/2021.
- xiv) As per the KSERC (Conduct of Business) Regulations, any person or party affected by a decision, direction or order of the Commission may, within forty-five days from the date of making such decision, direction or order apply for the review of the same. It is humbly requested that the delay in filing the review petition may kindly be condoned.
- xv) KSEBL has remitted the requisite fee of Rs.20,000/- for the review petition as well as Rs.10,000/- as fee for condonation of delay.

Prayers

KSEBL humbly request Hon'ble Commission to review the order dated 28-8-2021 in OP 28/2021 with respect to limited ground on the directions for energy accounting of all open access transactions from 05/ 2021 to 28/8/2021. KSEBL also request Hon'ble Commission to kindly condone the delay in filing the review petition.

Chief Engineer (Commercial & Tariff)

**BEFORE THE HONOURABLE KERALA STATE ELECTRICITY
REGULATORY COMMISSION**

In the matter of: Condonation of delay in filing Review Petition under section 94(f) of the Electricity Act, 2003 read with Regulation 67 of KSERC (Conduct of Business) Regulations, 2003 seeking review of the order dated 28-8-2021 in OP 28/2021 with respect to limited ground on the directions for energy accounting of all open access transactions from 05/ 2021 to 28/8/2021 as ordered by Hon'ble Commission in the said order.

Petitioner: **Kerala State Electricity Board Limited,**
VydyuthiBhavan, Pattom,
Thiruvananthapuram – 695 004.

Respondents: 1. **The Kerala High Tension and Extra High Tension Industrial Electricity Consumers' Association,** Productivity House, Jawaharlal Nehru Road, Kalamassery 683102, Ernakulam District, Kerala.
2. **Carborandum Universal Limited,** Electrominerals Division, P. B. No- 1 Kalamassery Development Plot P.O South Kalamassery. Ernakulam.

AN APPLICATION FOR CONDONATION OF DELAY

The petitioner named above most respectfully submits as under:

1. KSEBL has filed a petition seeking review of the order dated 28-8-2021 in OP 28/2021 with respect to limited ground on the directions for energy accounting of all open access transactions from 05/ 2021 to 28/8/2021.
2. As per the KSERC (Conduct of Business) Regulations, any person or party affected by a decision, direction or order of the Commission may, within forty-five days from the date of making such decision, direction or order apply for the review of the same. However, a delay has occurred for collecting the details on the financial liability to KSEBL due to implementation of the order.
3. It is humbly requested that the delay in filing the review petition may kindly be condoned.

Prayer

In the above circumstances, it is most respectfully prayed before the Hon'ble Commission to kindly condone the delay in filing the Review Petition seeking review of the order dated 28-8-2021 in OP 28/2021 with respect to limited ground on the directions for energy accounting of all open access transactions from 05/ 2021 to 28/8/2021 as ordered by Hon'ble Commission in the said order.

Chief Engineer(Commercial & Tariff)