



**TAMIL NADU
GOVERNMENT GAZETTE**

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NOTIFICATIONS BY HEADS OF DEPARTMENTS, ETC.

TAMIL NADU ELECTRICITY REGULATORY COMMISSION

(TERMS AND CONDITIONS FOR DETERMINATION OF TARIFF FOR INTRA STATE

TRANSMISSION/ DISTRIBUTION OF ELECTRICITY UNDER MYT

FRAMEWORK

(AMENDMENT) REGULATIONS, 2011

Notification No. TNERC/MYT / 18 / 2 , dated 28 -2-2011.

Whereas the Tamil Nadu Electricity Regulatory Commission , in exercise of its powers conferred on it under Section 61 of the Electricity Act , 2003 (Act 36 of 2003) read with Section 181 of the said Act , specified and notified at pages 1-9 in Part VI- section 2 of the Tamil Nadu Government Gazette, dated the 11th March 2009, the Tamil Nadu Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff for Intra state Transmission / Distribution of Electricity under MYT Framework) Regulations , 2009 ;

And Whereas , it is considered necessary to issue certain amendments to the said Regulations in line with the recommendations of the Working Group Reports of the Forum of Regulators , for the purpose of removing certain difficulties in regard to making modifications to the existing Regulations which were not adequately covered earlier, and the same have undergone previous publication ;

Now, therefore , in exercise of the powers conferred on it under Section 61 of the Electricity Act , 2003 (Act 36 of 2003) read with Section 181 of the said Act and all other powers enabling it in this behalf, the Tamil Nadu Electricity Regulatory Commission hereby specifies the following amendments to the Tamil Nadu Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff for Intra state Transmission / Distribution of Electricity under MYT Framework) Regulations , 2009 (hereinafter referred to as the principal regulations).

TAMIL NADU ELECTRICITY REGULATORY COMMISSION

(TERMS AND CONDITIONS FOR DETERMINATION OF TARIFF FOR INTRA

STATE TRANSMISSION/ DISTRIBUTION OF ELECTRICITY UNDER MYT

FRAMEWORK)

(AMENDMENT) REGULATIONS, 2011

1. Short title and commencement -

(a) These Regulations may be called the Tamil Nadu Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff for Intra state Transmission / Distribution of Electricity under MYT Framework) (Amendment) Regulations, 2011.

(b) They shall come into force on the date of publication in the Tamil Nadu Government Gazette.

2. Amendment of Regulation 3 of the Principal Regulations.

In the Principal Regulations, in Regulation 3, -

(a) for item (iv) , the following shall be substituted, namely :-

“ (iv) Business Plan.-

Every licensee shall submit the business plan and power purchase plan for approval of the Commission, at least six months prior to submission of the MYT petition. The business plan shall contain projection for all activities including on going projects, new projects with the specific nature, loss reduction, effective and tamper-proof metering etc., The licensee shall also furnish the criteria adopted for such projection . The Commission shall issue the order on the business plan and the power procurement plan within four months of submission, so that the licensee is able to submit the MYT petition on the basis of the approved plan.” ;

(b) for item (ix) following shall be substituted, namely :-

“ (ix) Mechanism for sharing approved gains or losses arising out of controllable factors.-

The financial loss, if any, due to failure to achieve the target for the controllable costs in any of the years in the control period shall be borne by the licensee and the efficiency gains, if any, with respect to controllable parameters shall be shared between the licensee and the consumer in the ratio of 2 : 1 .” ;

3. Amendment of Regulation 11 of the Principal Regulations.-

In the principal Regulations, to Regulation 11, the following paragraph shall be added namely :-

“ The Distribution licensee shall achieve various indices related to supply availability as given by the Commission from time to time. For every under achievement of 1% in composite availability for urban and rural areas, ROE shall be reduced by 0.1% .” ;

4. Amendment of Regulation 27 of the Principal Regulations.-

In the principal Regulations, to Regulation 27, the following paragraph shall be added at the end, namely :-

“ Supply availability should be measured on the basis of power contracted by the distribution licensee on a long-term basis for the power procurement plan submitted by the utility.”;

(By Order of the Commission)

Secretary
Tamil Nadu Electricity Regulatory Commission