



# ASSAM ELECTRICITY REGULATORY COMMISSION

## ORDER SHEET

FILE NO. AERC 744/2020/Pt-I

PETITION NO: 15/2020

**CORAM:** HON'BLE SHRI S.C. DAS, CHAIRPERSON  
HON'BLE SHRI S. N. KALITA, MEMBER  
HON'BLE SMTI B. BORTHAKUR, MEMBER

### In the matter of

Mitigation of impact of COVID-19 on the consumers and Assam Power Distribution Company Limited (APDCL).

### And

### In the matter of

Review of AERC Suo-Moto Order Dated 15.06.2020

### And

### In the matter of

Assam Power Distribution Company Limited (APDCL) ..... Petitioner

### Present

1. Shri J.P Choudhury, GM (Com-R), APDCL
2. Shri Bibhu Medhi, DGM, APDCL
3. Shri N. Ahmed, GM (TRC), APDCL
4. Smt. Swadhinata Dutta, AGM, APDCL

### ORDER

06.10.2020

1. Assam Power Distribution Company Ltd. (APDCL) filed a Review Petition on the Suo-Moto Order of AERC Dated 15.06.2020.
2. The Petition was registered as Petition No. 15/ 2020.
3. In the Suo-moto order dated 15.06.2020 the Commission had noted with concern that APDCL allowed 1% rebate in the bills of the Consumers for the month of June'2020 against consumption for the month of May'2020 without approval of the Commission. So the Commission decided not to allow the rebate amount as "Pass through" in future tariff and left it to be borne by APDCL.
4. APDCL vide this review petition prayed before the Commission to review the Suo-moto order 15.06.2020 and allow them to recover the rebate allowed for June'2020 amounting to Rs. 2.23 Crore in the True Up petition for FY 20-21. They submitted that taking due consideration of allowance of 1% rebate by the Commission in Suo-moto order dated 24.04.2020 and anticipation of approval from the Hon'ble Commission the rebate of 1% was included in the bills of May'2020 payable in June'2020.
5. The review Petitioner, APDCL was heard by the Commission on 05.10.2020.

6. While reiterating the points raised in the review Petition the representative of APDCL submitted during the hearing that due to overwhelming response received from the consumers in the month of May'2020 for payment of electricity dues by availing the rebate, APDCL thought that continuation of the rebate for the month of May'2020 payable in June'2020 would also encourage the consumers to make payment within the due date and that would help APDCL to mitigate the financial problem faced due to COVID 19 situation.
7. It is also submitted that the commercial wing processed the matter for filing a Petition before the Commission by first of June'2020 for continuation of the 1% rebate.
8. However, approval of the APDCL authority was delayed for some unavoidable circumstances and they couldn't file the same in time.
9. As billing of consumers is a continuous process, APDCL started billing, allowing 1% rebate in the bills.
10. There was no intention on their part to defy the Commission and they did it in good faith anticipating approval of the Commission.
11. The Commission has carefully examined the review petition and the submission made by APDCL during the course of hearing.
12. The Commission has not found any reasonable ground to review its earlier view as noted in the Suo-moto order dated 15.06.2020.
13. Therefore, the Commission rejects the prayers of APDCL to review the Suo-moto order dated 15.06.2020.
14. With the above decision of the Commission, the Miscellaneous Petition No. 15 of 2020 stands disposed off.

s/d  
**(B. Borthakur)**  
**Member, AERC**

s/d  
**(S. N. Kalita)**  
**Member, AERC**

s/d  
**(S. C. Das)**  
**Chairperson, AERC**