BEFORE THE ODISHA ELECTRICITY REGULATORY COMMISSION,
Plot No 4, Chunokoli, Shailashree Vihar , Bhubaneshwar 751021

IN THE MATTER OF: **Case No 136 of 2025 – Application filed by TPCODL for Aggregate Revenue Requirement and determination of Wheeling and Retail Supply Tariff for FY 2026-27**

And

IN THE MATTER OF: TP Central Odisha Distribution Ltd. Corporate Office, Power House, Unit 8, Bhubaneswar- 751012 represented by its Chief – Regulatory & Legal.

.... Petitioner

SPECIAL ADHESIVE
ANIL KR. MOHANTY NOTARY REGD. No.- 2009

Affidavit 27 JAN 2026

I, Bharat Kumar Bhadawat, aged about 54 son of late Shri Shankar Lal Bhadawat residing at Bhubaneswar do hereby solemnly affirm and say as follows:

1. I am the Chief-Regulatory & Legal of TP Central Odisha Distribution Ltd., the Applicant in the above matter and I am duly authorized to swear this affidavit on its behalf.
2. The statements made in this submission herein shown to me are based on information provided to me and I believe them to be true.

NOTARY ANIL KR. MOHANTY BHUBANESWAR REGD. No.- ON-112/2009 GOVT. OF ORISSA

Bhubaneswar.
Dated: 27.01.2026

Identified by
Advocate

The Deponent above named being duly identified by Sri A.K. .... Advocate at appears before me on 27/01/26 at about 3.4 ... P.M. and states on oath that the contents of this affidavit are true to the b... his/her knowledge.

Bharat Kumar Bhadawat

Chief-Regulatory & Legal

27/01/26
ANIL KUMAR MOHANTY
NOTARY, BBSR
REGD. No.-ON-116/2009

TPCODL

27th January, 2026

File No TPCODL/Regulatory /2026/13/

The Secretary
Odisha Electricity Regulatory Commission
Bidyut Niyamak Bhawan
Plot No 4, Chunokoli, Shailashree Vihar
Bhubaneshwar 751021

Dear Sir,

Subject: Case No 136 of 2025: Aggregate Revenue Requirement and determination of Wheeling and Retail Supply Tariff for FY 2026-27 for TPCODL.

TPCODL has published the public notice on 20th December 2025 in the subject matter in compliance with the Hon'ble Commission's direction in letter- Case No.136/2025/1600, dated 17.12.2025. Some queries/objections/suggestions were received on our filings.

We are through this letter providing the rejoinder to the same raised by various persons and organizations in the **Appendix.**

The list of objectors to whom we are providing the reply are as follows.

Sl. No	Name of the Objector
1	Shri. Basudeb Bhatta
2	Shri. Priyabrata Sahu
3	Shri. Panchanana Jena
4	Shri. Umakanta Panda
5	Shri. Bijay Kumar Patnaik
6	M/s. East Coast Railway
7	M/s. Seafood Exporters Association of India, Odisha Region
8	Shri. Akshaya Kumar Sahani
9	Shri. Lalatendu Dikhit
10	Shri. Ramesh Ch. Satpathy
11	Shri. Prasana Kumar Bisoi
12	Shri. Manoranjan Routray
13	M/s. Jindal Steel Limited, Angul
14	M/s. Power Tech Consultants
15	M/s. Tata Steel Limited, Athagarh
16	M/s. GRIDCO Limited
17	Shri. K. Prabhakar Dora

TPCODL

18	Shri. Samish Kumar Mohanty
19	Shri. Bijan Panigrahi
20	Shri. Ananda Kumar Mohapatra
21	M/s. Utkal Chamber of Commerce & Industry Ltd (UCCI)
22	Shri. Ashok Kumar Bhukta
23	M/s. OPTCL
24	M/s. Indiano Chrome Private Limited
25	Shri. Ali Kishore Patnaik
26	M/s. Saraswati Educational & Charitable Trust
27	Shri Prasanna Kumar Chhotray

The Respected Respondents have raised several issues besides those covered under ARR filed by TPCODL. We have limited our replies to queries / observation relevant to the ARR.

The response to the objections raised in Case No. 138 of 2025 has already been submitted to the Hon'ble Commission vide our letter No. TPCODL/Regulatory/2026/12 dated 27th January, 2026.

We trust the same is in order.

In line with the directions given by the Hon'ble Commission in the above letter, we are serving the copy of the respective rejoinders to the individual respondents.

The Hon'ble Commission may kindly allow us to make additional submission in this matter.

Thanking You,

BcBhadawat

Bharat Kumar Bhadawat
Chief – Regulatory & Legal

CC: Respective Rejoinders

1. Shri. Basudeb Bhatta,
   Kharavel Nagar, Unit-3, Bhubaneswar, PIN: 751001
   Email: aamajanata2020@gmail.com
2. Shri Priyabrata Sahu,
   Bijaya Bihar, 3rd Lane, Berhampur, Dist: Ganjam, Odisha:751017
3. Shri Panchanana Jena,
   Sakti Nagar, 3rd Lane, Berhampur, PIN: 760010
   Email: jena.manoranjan1@gmail.com

4. Shri Umakanta Panda
   Sailashree Vihar, Bhubaneswar, PIN: 751021
   Email: uk_panda2002@yahoo.co.in
5. Shri Bijay Kumar Patnaik
   Plot No-492, K-1, Kalinganagar, Bhubaneswar-751003.
   Email: patnaiks.bijay@gmail.com
6. Principal Chief Electrical Engineer (TRD) , East Coast Railway
   Rail Sadan, Chandrasekharpur, Bhubaneswar-751017.
   Email: rtc@optcl.in
7. M/s. Seafood Exporters Association of India, Odisha Region
   Utkal Signature Building, 2nd Floor, NH-5, Pahala, Bhubaneswar-752101.
   Email: aks.kr.sahani@gmail.com
8. Shri. Akshaya Kumar Sahani
   B/L-108, VSS Nagar, Bhubaneswar-75007.
   Email: aks.kr.sahani@gmail.com
9. Shri Lalatendu Dikhit
   At/Po-Sarakana, Ps-Balianta, Khordha-752100.
   Email: Dixit.lalat@gmail.com
10. Shri Ramesh Ch. Satpathy
    Plot No.302(B), Bherabati, Nayapalli, Bhubaneswar-751012.
    Email: ramesh.satapathy112@gmail.com
11. Shri Prasana Kumar Bisoi
    At/Po-Begunia, Dist-Khordha- 752062
12. Shri Manoranjan Routray
    Advocate, Trinath Temple street, Po-Koraput, Dist: Koraput-764020
    Email: callmanoranjan@gmail.com
13. M/s. Jindal Steel Ltd.
    Chenndipada road,SH 63, PO: Jindalnagar, Angul, Odisha-759111
14. M/s. Power Tech Consultants
    At-K-8-82, Kalinga Nagar, Ghatikia, Bhubaneswar-751029.
    Email: aks.kr.sahani@gmail.com
15. M/s Tata Steel Limited
    Tata Steel Ltd., Athagarh, Anantpur, PO- Dhurusia, Cuttack: 754027, Odisha
16. GRIDCO Limited
    Janapath, Bhubaneswar-751022.
17. Shri K. Prabhakar Dora
    3rd Lane, Vidya Nagar, At/Po-Rayagada, 765001.
18. Shri Samish Kumar Mohanty
    IRC Village , Bhubaneswar.
19. Shri Bijan Panigrahi

House No-2, Kailas Vihar, Lane-2, KIIT Square, Bhubaneswar-21.
Email: gpbijan@gmail.com

20. Shri. Ananda Kumar Mohapatra
Plot No: 799/4, Kotiteertha Lane, Old Town, BBSR-02
Email: anandmohapatra22@gmail.com

21. M/s Utkal Chamber of Commerce & Industry Ltd (UCCI),
N-6,IRC Village, Nayapalli, Bhubaneswar-751015
Email: contactus@utkalchamber.in ;gpwrtch@gmail.com

22. Shri Ashok Kumar Bhukta
Main Road, Mandapalli, Berhampur University, Po-Rangailunda, Dist-Ganjam-760007. Email: Ashokbhukta@gmail.com

23. M/s OPTCL
Janapath, Bhubaneswar-22.

24. M/s Indiano Chrome Private Limited
Sarua, Industrial Estate, IDCO Plot No-20 (P), A/21, A/21/A, A/31 (P), Khorda-752057.

25. Ali Kishore Patnaik
TPSODL Consumers Association, Hillpatna, Berhampur-760005.
Email: alikishorpatnaik@gmail.com

26. Saraswati Educational & Charitable Trust
At-K-8-82, Kalinganagar, Ghatikia, Bhubaneswar-29.

27. Shri Prasanna Kumar Chhotray
Opposite to Circuit House, Railway Station Road, Berhampur-760005, Ganjam.
Email: prasannachhotray@gmail.com

Appendix

1. Reply to Objections/ Suggestions by Shri Basudeb Bhatta against Case No. 136/2025

1. **The deponent strongly opposes the proposed ARR, as the collective proposals by Odisha's power utilities (including the four Tata Power DISCOMs like TPCODL) project a cumulative revenue shortfall of over Rs. 3,276 crore, potentially leading to an average retail tariff hike of 98 paise per unit (up to nearly Rs. 1/unit) if approved in full.**

   Response:

   The Discom has submitted the ARR as per provisions of the Tariff Regulation ,2022 which the Hon'ble Commission will approve after detailed prudence check and public hearing.

   The Hon'ble Commission has the sole prerogative in tariff determination and tariff design for the State and will take an appropriate view on the matter. Our only submission is that the tariff should be cost-reflective.

2. ***Unjustified and Burdensome Tariff Hike: TPCODL's proposal contributes to an unnecessary burden on consumers amid ongoing economic challenges and inflation. This violates Section 61 of the Electricity Act, 2003, which requires tariffs to be affordable, protect consumer interests, and promote cross-subsidization for domestic, agricultural, and low-income categories**

   Response:

   The Discom has submitted the ARR as per provisions of the Tariff Regulation ,2022 which the Hon'ble Commission will approve after detailed prudence check and public hearing.

   The Hon'ble Commission has the sole prerogative in tariff determination and tariff design for the State and will take an appropriate view on the matter. Our only submission is that the tariff should be cost-reflective as per mandate of Hon'ble Supreme Court of India and provisions provided in the Rule No. 23, of The Electricity Rules, 2005.

TP CENTRAL ODISHA DISTRIBUTION LIMITED
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3. **Persistent Service Deficiencies and Inefficiencies: TPCODL continues to face issues with frequent power outages, delayed restorations, inflated billing (including from smart meters), poor grievance redressal, and coercive practices such as forced handovers in areas in Angul District. Distribution losses remain high, and past performance does not justify rewarding inefficiencies. The Truing Up should disallow inflated claims for power purchase, employee costs, O&M expenses, and capital expenditure.**

Response:

In this regard, TPCODL has contributed significantly since take over which has resulted into:

1. Stable retail supply tariff despite increase in BSP almost every year (from Rs. 2.61 / unit at time of take over to Rs. 3.15 in FY 2025-26 (i.e. 21% hike). It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for 'Allied-Agro Industrial Activities' in FY-24 and **10 Paise per kWh reduction** in Energy Charges for LT Domestic Consumers (all Slabs). Reduction of **Rs. 10 in** Monthly Fixed Charges for Kutirjyoti Consumers (From **Rs. 80 per month to Rs. 70 per month in FY-25).**

2. "A+" rating under the Integrated Rating of DISCOMs published by the Government of India which include the criteria like billing efficiency, collection efficiency, supply hours, end customer service.

3.Reduction in AT&C loss: 30.44% at time of takeover to 18.94% in FY-25

4. Employee ratio per 1000 consumer has reduced from 1.88 (at Takeover) to 1.41 (FY 2026-27 estimated)

The utility is continuing with its efforts to provide reliable power supply and best customer services. Smart meter billing follows Hon'ble OERC regulations and grievance redressal operates via structured channels including Mo Bidyut portal, customer care centers and online complaint modules achieving timely resolution.

The True up petition has been submitted as per the Tariff Regulations,2022.

4. **Coercive and Exploitative Practices: Recent actions, including disconnections in project areas to force switches to TPCODL, arbitrary security deposit demands, and smart meter-related disputes, reflect lack of transparency and consumer exploitation. Overestimated revenue gaps promote profiteering, contravening OERC (Terms and Conditions for Determination of Wheeling Tariff & Retail Supply Tariff) Regulations, 2022**

Response:

TPCODL respectfully submits that all business activities of the licensee strictly adhere to the provision of OERC (Distribution Supply Code, 2019) and other applicable rules and regulations and directives mentioned in the Tariff Orders.

5. **Adverse Impact on Vulnerable Consumers: As Co-Convenor of Aama Janata Adhikar and a resident of Bhubaneswar, I represent affected urban, rural, and marginalized consumers in TPCODL's area (including Bhubaneswar, Cuttack, Puri, Khordha, Angul, and surrounding districts). Any hike disproportionately affects low-income households, migrants, and slum dwellers, infringing on the right to dignified life under Article 21 of the Indian Constitution and equitable access to essential services.**

Response:

The Discom has submitted the ARR as per provisions of the Tariff Regulation ,2022 which the Hon'ble Commission will approve after detailed prudence check and public hearing.

The Hon'ble Commission has the sole prerogative in tariff determination and tariff design for the State and will take an appropriate view on the matter. Our only submission is that the tariff should be cost-reflective as per mandate of Hon'ble Supreme Court of India and provisions provided in the Rule No. 23, of The Electricity Rules, 2005.

6. **Alternative Prayers: Completely reject any proposed tariff hike. Direct TPCODL to improve operational efficiency, reduce distribution losses below approved benchmarks, conduct independent audits of past and proposed expenditures, and issue refunds/compensations for overcharges and service lapses. For Truing Up, rigorously scrutinize claims, disallow unsubstantiated costs, and impose performance penalties.**

Response:

TPCODL respectfully submits that tariff determination remains the sole prerogative of the Hon'ble Commission under Sections 61-62 of the Electricity Act, 2003. Our submission is that tariff must be cost reflective and the petitioner is allowed to recover ARR through tariff as per Tariff Policy norms and OERC Regulations 2022.

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2. Reply to Objections/ Suggestions by Shri. Priyabrata Sahu against Case No. 136/2025

1. Employee Expenditure, R&M Expenditure and A&G Expenditure

2) The ARR of all Discoms proposes a unnatural hike in expenditure in employees cost, Repair & maintenance cost and A&G expenditure which is double then the last year approved expenditure. Further power outrages have gone up after TATA power taken over the company. If the gap proposed by the all Discoms is allowed it will increase the cost of unit by Rs 1.00 per unit.

Response:

In this regard, we wish to submit that the operations of TPCODL is only 5.5 years old. The O&M Expenditure for the Discoms would depend on the level of activities in the area of Repairs , Maintenance , Billing, Collection, statutory fees, recruitment of personnel as per the approval of the Hon'ble Commission to cover the deficit on account of no recruitment in the past. It is submitted that since the takeover of the erstwhile utilities, various new activities/initiatives have been undertaken. TPCODL has explained the same in the Performance Review and other submissions made to the Hon'ble Commission from time to time.

Further, increase in the expenditure would also need to be considered after factoring the increase in assets, number of consumers from 26.82 Lakhs to 33.25 Lakhs, operation of customer care centers in all Divisions, Fuse Call Centres in different parts of the licensed Area and also the various activities for providing better consumer services and also provide improved reliability.

TPCODL in the Petition has provided detailed justification for incurrence of higher O&M Expenditure as compared to that approved. We therefore request the Hon'ble Commission to kindly approve the expenditure sought by TPCODL in their petition.

The Discom has submitted the ARR as per provisions of the Tariff Regulation ,2022 which the Hon'ble Commission will approve after detailed prudence check and public hearing.

The Hon'ble Commission has the sole prerogative in tariff determination and tariff design for the State and will take an appropriate view on the matter. Our only submission is that the tariff should be cost-reflective.

2. Rebate not passed on to the consumer

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Further the bills of consumers are not served and generated on provisional but same time rebate are not passed on to the consumer when the actual bill is generated.

Response:

DPS, reading and billing, bill delivery and rebate is being allowed as per the prevailing regulations.

3. ***Disconnecting Power Supply without proper notice.***

In addition to above DISCOMS are disconnecting the power supply without proper notice the same should be stopped immediately.

Response:

Disconnection is being done as per the regulations.

4. ***Capital Expenditure in the ARR***

5) Further while calculating the interest on Capex loan is charged for the whole year. The detail on loan availed from banks and the rate of interest may be furnished.
6) The Discoms must give detail financial benefits derived from the Capex plan on account of loss reduction and its impact on tariff

Response:

We have provided the extracts of sanction letters under Page No 59 to 63 of the petition which specify the details of the loans and also provide the applicable interest rate.

As far as loss reduction due to Capex is concern at the time of take over AT&C Loss was 30.4% which has been reduced to 18.94%, which has helped in keeping the tariff stable. In fact pervious year FY 2024-25 there was a reduction in tariff for domestic category. Despite the fact that there is cost of supply Average Cost of Supply has increased.

5. **Security Deposit**

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10) So, the intention of the regulation is to keep the security deposit as per consumption of the consumer and return the balance security deposit to the consumer there by safe guarding both consumer as well as interest of company in the interest of justice. The discoms must furnish how much security refunded to the consumer as per regulation sue-motto.

Response:

Security Deposit is a statutory requirement under Section 47 of the Electricity Act, 2003 and OERC Distribution (Conditions of Supply) Code, 2019, mandating annual review based on preceding FY's average consumption to secure 2 months' charges, with shortfalls demanded and excess refunded/adjusted against demand complies fully, ensuring financial integrity per uniform national DISCOM practice (no deposit for prepaid meters).

6. KVAH Billing

Hence we pray before the Hon'ble commission for appropriate directions to the DISCOM authorities for consideration of energy consumption in KWH for HT IND consumers till the DTRs of power utilities standardized as per the BEE and request for refund of excess of revenue already collected by adjusting in their respective ECh bills .

Response:

The Hon'ble Commission had after a long time moved from KWH billing to KVAH for HT and EHT Consumers. The same has been effected after removing the penalty and incentive on PF. We are of the view that such billing i.e based on KVAH should continue as it incentivizes the consumer to improve the power factor thereby improving the system parameters in general and reduction of loss

The standardization of DTRs by the Discom may be parallel activity and the same should not be linked to the KVAH billing in vogue.

The benefit of kVAh billing is to incentivize consumer who optimally maintains their power factor, so that: (a) transmission losses are reduced (b) improvement in system stability (c) better power quality and (d) improved voltage profile.

The kVAh billing system is prominent across country. Consumer who do not maintain optimal power factor shall always pay higher energy charges and consumer who maintain their optimal power factor will be always incentivized by way of lower energy charges.

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7. Smart Meter Projects by Govt. of India

19) In case of their discoms across india the smart meter project is funded by Govt. of India as well as IPDS plan. However, in IPDS project is not taken as per plan directive of Govt of India. Presently the project is funded by RDSS scheme of Govt of india So, the meter will be available to the consumer free of cost. The consumer of odisha will be benefited by above if govt of odisha take initiative in this regard. Further there is no clarity regarding consumer who have purchased

Chaitanya Patra

meter at their own cost and cost of assets created on govt scheme goes to waste and discoms claim R & M 3% on funded assets. Further the meter rent recovered from consumer not adjusted in the cost of smart meter. The cost of smart meter of different discoms differs. So, the commission should not increase the cost of smart meter rather there should be move to provide smart meter free of cost without burdening general consumer. We oppose the hike in meter rent of smart meter. So, SOP regarding smart meter may be brought out as per regulation. Further regarding Prepaid and post-paid consumer may be given option as now the licensee forcibly converting the consumer post-paid to Pre-paid vice versa.

20) As per regulation 110

Response:

Odisha Discoms are not entitled to get support under RDSS schemes as per the policy of Govt of India. However, the Govt. of Odisha has provided one-time support of RS. 735 Cr for smart meters which will benefit the low-end consumers.

There is no proposal given by Discom to increase existing meter rent. Further, the consumer has the option to avail smart meter under pre-paid or post-paid mode. By default smart meters are being installed in post-paid mode only. The consumer are not forced to convert from post-paid to pre-paid and vice-versa as alleged by the objector.

8. Change in Contract Demand of short term Agro based seasonal industries or irrigation

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20) As per regulation 119

(iii) Notwithstanding anything contained above and in Regulation 117, the Commission may allow the change of contract demand of short term Agro based seasonal industries or irrigation in its order from time to time for a particular season of the year

So, we request the commission to classify the industries like Rice mill, Ginning mill, sugar mill and jaggery making and other seasonal industries may be classified as seasonal industry. The above industry having contract demand more than 110 KVA may be billed on actual MD in the off season instead minimum 80% of contract demand. Which will immensely benefit the MSME sector.

Response:

This matter does not pertains to present tariff proceedings. It is a supply code matter.

9. Periodical Inspection and penalty

21) As per OERC distribution conditions of supply regulation (111) (iii) periodical inspection is not done by the licensee in specified interval and after years if they are detecting any abnormality after prolonged period they are issuing notice under sec(126) and Sec(135) without the fault of consumer. Without serving the letter of provisional and final assessment and due acknowledgement from the consumer they are disconnecting power supply. Further in case of reclassification of consumer they are not issuing proper notice under regulation 140 and without giving opportunity they are levying penalty under Sec(126) of which is violation of fundamental right.

Response:

TPCODL operates under the comprehensive regulatory framework established by the Hon'ble Commission. All the above observed activities are being conducted as per the regulations.

10. Assets transferred by Government

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22) **Gridco equity in kind**

ODSSP 33/11 substation is being provided to Discoms as equity contribution by GRIDCO in kind. ODSSP is a state sponspored schemeof GOO and expenditure is met from state budget duly approved by cabinet which means the money is already recovered from the tax payers, So the said equity infusion can not earn ROE as well as depreciation which will increase the tariff. It is a double recovery cost from the consumer of Odisha,

Response:

This matter has already been taken care at the time of issuance of vesting order.

11. **Employee Cost**

Response:

It is submitted that, the justification of employee cost is given keeping in view real challenged faced for seamless operation, consumer satisfaction, project execution and other related activities has been elaborated in our ARR application, which may please be referred.

All recruitment are being done as per approval accorded by the Hon'ble Commission and we are well within the approved limit.

12. The true-up exercises of past years must be actual and as per parameter approved by tariff and regulation, but it is observed that same is claimed in normative basis taking up efficiency gain in misleading manner. Tax on return on equity may not be considered as it has to be paid out of licensee's return on capital. Passing the same to the consumer is not acceptable. Further, DERC has fixed RoE as 10% which is much below the RoE fixed as per regulation.

Response:

It is submitted that the Licensee has filed the True-up application as per the relevant provisions of the Tariff Regulations, 2022 & actual figures as per Audited accounts. Regulation 2.14.2 of the Tariff Regulations, 2022 provides for sharing of efficiency gain and accordingly the Licensee has offered the same in compliance with the relevant regulation.

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The Hon'ble Commission at Regulation 3.6.3 (c) of the OERC Tariff Regulation, 2022 has provided as under:

"3.6.3 Return on equity on the assets put to use under instant Regulations:

….

c. The tax only to the extent of the tax on return is provided as pass through."

It is submitted that the Licensee strictly follows the applicable regulations and is well within the ambit of the same. The same is also in line with regulations of other states and well recognized by Hon'ble APTEL.

13. ***NTI such as rebate to consumer, supervision charges, over drawl penalty and DPS should be passed on to consumers in full instead of 1/3rd proposed by DISCOMs.***

Response:

Petitioner is following the provisions of Tariff Regulations 2022, prescribe by the Hon'ble Commission. The items mentioned in the query are 100% passed on under NTI in the ARR.

14. **DPS to domestic and GP Consumers**

34) We do not agree with levy of DPS to domestic and GP consumers as proposed by all the licensee as all know the reason of withdrawal of the same. We feel that poor consumers should not be burden with levy of DPS.

Response:

There was a tendency among the category of LT Domestic, General Purpose and HT Bulk Supply Domestic etc. consumers negligent towards bill payment once the due date is over as no delayed payment surcharge was applicable. The Domestic and GPS category current billing is more than 90% of total LT billing and compared to total billing these consumers billing is around 46%. Therefore, in order to achieve 100% collection of LT current billing in every month, consumers should proactively pay in time and for which it is requested to introduce DPS for these categories of consumers. The Hon'ble Commission may kindly consider the proposal of the Petitioner.

It is pertinent to mention here that consumers who are defaulting in making payment on or before due date are actually putting financial burden on other consumers due to increased borrowing cost. Therefore, in order to bring equality among all category of consumers for timely payment of electricity bill, this proposal has been put up for kind consideration of the Hon'ble Commission.

The Hon’ble Commission is, therefore, requested to kindly consider re-introducing the DPS for LT Domestic, LT General Purpose and HT Bulk Supply Domestic Consumers. However, the Due Date for the payment can be extended from the normal 7 days to the next due date as made applicable in the past. But for the rebate entitlement 7 days payment may please be retain.

As of now there is no deterrent for defaulting consumers falling under such category who are not paying their electricity bills on or before due date, despite the fact that a lot of rebate mechanism exist in the Tariff Order. Discoms are putting lot of resources and effort into recovery of electricity dues which ultimately burdening the rest of consumers who are making timely payment to Discom.

In case of disconnection due to non-payment of electricity dues by due date such consumers are tend to illegally restore the supply or indulge in theft of electricity by means of hooking and others illegal practices which jeopardizing the interest of rest of consumers.
Disconnection of electricity due to non-payment requires prior notice for 15 days which again incentivize such consumers not to pay dues on due dates.

In view of above it is once again requested to Hon’ble Commission that mechanism to levy DPS for delay payment of electricity dues must be introduced so that interest of other consumers are protected. Further, incase of cheque bounce the DPS must be levied from the due date to the date till it is cleared apart from other legal action as available as per negotiable Instrument Act shall be scrupulously followed.

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3. Reply to Objections/ Suggestions by Shri Panchanana Jena against Case No. 136/2025

1. **All DICOMs are recruiting officers with outside people from Odisha who are inadequate capability in understanding Odia consumers. All the DISCOMS are requested to provide following data for public Knowledge:**
    - **No of people recruited from date of vesting to Dec-25**
    - **Executive (officer), Non-Executive (workers)**
    - **Odia speaking in both the level**

Response:

The petitioner has recruited in line with Hon'ble Commission's approval the information desired by the objector has already been provided through ARR application FY 2026-27.

2. ***This wasteful expenditure in R&M and A&G needs to be curtailed so that the burden to the poor consumers of Odisha may be avoided.***

Response:

In this regard, we wish to submit that the operations of TPCODL is only 5 years old. The O&M Expenditure for the Discoms would depend on the level of activities in the area of Repairs , Maintenance , Billing, Collection, statutory fees, recruitment of personnel as per the approval of the Hon'ble Commission to cover the deficit on account of no recruitment in the past. It is submitted that since the takeover of the erstwhile utilities, various new activities/initiatives have been undertaken. TPCODL has explained the same in the Performance Review and other submissions made to the Hon'ble Commission from time to time.

Further, increase in the expenditure would also need to be considered after factoring the increase in assets, number of consumers from 26.82 Lakhs to 33.25 Lakhs, operation of customer care centers in all Divisions, Fuse Call Centres in different parts of the licensed Area and also the various activities for providing better consumer services and also provide improved reliability.

TPCODL in the Petition has provided detailed justification for incurrence of higher O&M Expenditure as compared to that approved. We therefore request the Hon'ble Commission to kindly approve the expenditure sought by TPCODL in their petition.

3. **The four discoms are practicing unfair labour practice by employing outsource employees in permanent nature of work which amount to unfair labour practice it must be stopped. The people who are working long years may be absorbed in the organization.**

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Response:

Job contracts are being awarded through open tender process for the work which are temporary in nature.

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4. Reply to Objections/ Suggestions raised by Shri Umakanta Panda against Case No. 136/2025

1. **The petitioner should provide the number of domestic consumers who have availed the benefit of rooftop solar projects during FY 2024-25 and FY 2025-26 including the connected load, electricity generated in terms of KWH. The available figures of FY 2025-26 can be prorated to ascertain the total estimated generation for the whole FY and that should be built into the Aggregate Revenue Requirement of FY 2026-27.**

Response:

Details of Domestic Consumers who have availed benefit of rooftop solar project.

Financial Year	No. of Installations	Cumulative CD (MW)	Cumulative Solar capacity installed (MW)	Cumulative generation capacity (MU)
2024-25	1945	14.258	7.386	9.42
2025-26	9588	36.412	30.318	38.73

It is submitted that, as per para 2.1.1 of the ARR Petition, the impact of rooftop solar projects (PM Suryaghar Muft Bijli Yojana including the ULA scheme) was conservatively excluded from LT sales estimates at the time of filing, considering the uncertainties in implementation. The rapidly increasing participation of vendors and consumers, as well as the large number of pending applications, shall be duly factored at the time of truing-up based on actual data for FY 2026-27, in accordance with the Tariff Regulations, 2022. This approach ensures an accurate assessment of the revenue gap without any premature overstatement of rooftop solar impact.

2. ***It is strange to note that the computed consumption figure of 2192 units as mentioned above is substantially less than the total solar generation figure of 3185 units. But the Petitioner Licensee has been billed for 219 units which is derived as 10% of total consumption. The same billing formula might have been applied to all such similarly placed Prosumers. The Hon'ble Commission is requested to review the above billing formula which the Respondent considers irrational and order a simple calculation to arrive at the consumption figure for better appreciation by the consumer***

Response:

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TPCODL's net metering billing strictly follows OERC Order on "On Net Metering/Bi-Directional Metering & their connectivity with respect to Solar PV Projects" dated 19.08.2016 and Supply Code provisions.

3. **Tariff for electricity injected to the grid in excess of one's consumption**

The Hon'ble Commission has not yet fixed any tariff for the electricity injected to the grid in excess of one's consumption. It has been so far a free power to the TPCODL which the Licensee has been selling to its consumers and making money at zero power purchase cost. Many State Commissions, in their Tariff Orders, have been approving a fixed tariff for the excess electricity injected in to the grid form rooftop solar plants. The Respondent prays Hon'ble Commission to allow the Respondent to provide the relevant orders at the time of hearing.

Response:

It is pertinent to mention here that by this provision TPCODL is not making any money because all the revenue from sale of electricity is being pass on to the consumer in the ARR.

The matter pertains to policy issue.

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5. **Reply to Objections/ Suggestions raised by Shri Bijay Kumar Patnaik against Case No. 136/2025**

1. ***Excess Tariff Recovery: The Commission had approved average Tariff @ 570.43 paise/unit for FY 25 for TPCODL for the purpose of determination of category-wise Retail Supply Tariff (RST) whereas the Applicant has actually recovered tariff @ 609.18 paise/Unit by selling 9691.52 MU at notified RST. It appears that the Applicant has recovered excess tariff @ 38.75 paise/Unit amounting to Rs. 375.52 cr during the year. The excess tariff collected may be trued up during the instant proceeding and thereafter the excess collected from consumers may be refunded to them with interest in accordance with Section 62(6) of the Electricity Act, 2003***

Response:

It is submitted that, the Discoms are allowed to recover from the consumers at Tariff that is approved by the Hon'ble Commission every year in the Tariff Order (Annexure-B of the Tariff Order). Tariff Determination is based on estimation basis, which is subject to True Up. Any surplus/gap is trued up subsequently, this practice is as per the regulatory framework.

2. ***Additional Security Deposit: It is not understood why TPCODL has demanded Additional Security Deposit from every consumer without examining the payment-behaviour of the person concerned. Consumers with a long track record of regular payment should not be asked to pay additional security deposit. Instances have also come to notice where the ASD has been calculated based on the energy consumption of 13 months instead of 12 months. For simplicity in understanding, Security Deposit should be linked to contract load instead of consumption, as is being done in a few States like Delhi and Punjab. It must be appreciated that Distribution loss cannot be reduced by increasing the Security Deposit. Such a move only penalises a law-abiding consumer and not one who steals power. In view of the above anomalies, collection of ASD should not be insisted upon.***

Response:

Security Deposit is a statutory requirement under Section 47 of the Electricity Act, 2003 and the OERC Distribution (Conditions of Supply) Code, 2019. The purpose of the Security Deposit is to ensure that an amount equivalent to approximately two months' electricity charges is available with the DISCOM as security against the credit period extended to consumers.

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Pursuant to the provisions of Section 47 of the Electricity Act, 2003 and the OERC Supply Code, 2019, DISCOMs are mandated to review the Security Deposit once in every financial year based on the average electricity consumption of the consumer during the preceding financial year. In cases where the existing Security Deposit is found to be less or in excess of the amount so assessed, the shortfall is required to be demanded or the excess adjusted through subsequent electricity bills, as applicable. Such annual review is essential on account of variations in electricity consumption by consumers and/or changes in applicable tariff.

Accordingly, the demand raised by the DISCOMs based on the electricity consumption for previous financial year is strictly in accordance with the statutory and regulatory provisions.The periodic review and revision of Security Deposit, as carried out under the applicable regulations, is necessary to ensure the financial integrity of the distribution business by mitigating recovery risks. This practice is fully aligned with the provisions and objectives of the Electricity Act, 2003. Demand and annual review of Security Deposit is a uniform and well-established practice followed by DISCOMs across the country. The Security Deposit is refundable upon termination of the electricity connection, subject to adjustment of any outstanding dues.In the case of prepaid meters, no Security Deposit is required.

In view of the above, the demand for additional Security Deposit is legal, justified, and in full compliance with the applicable statutory and regulatory framework.

3. ***Audit of Accounts of Discoms: Since TPCODL has 51% equity of Tata Power, it is immune from audit by the CAG. But power is an essential commodity and the sector functions on the strength of charges paid by millions of consumers as well as by budgetary grant from the Government from time to time. There has to be absolute transparency of the funds applied by the Discoms which are public moneys. In view of the above, annual audit of accounts of Discoms should be carried out by auditors appointed by the OERC.***

Response:

It is submitted that TPCODL functions as a licensed and regulated Distribution Licensee under the provisions of the Electricity Act, 2003 and operates under the regulatory oversight of the Hon'ble Commission. Post-privatization, the statutory audit framework applicable to TPCODL is in accordance with the provisions of the Companies Act, 2013 and other applicable laws.

Accordingly, the Licensee's accounts are subject to independent statutory audit by auditors appointed as per law and are also reviewed through multiple layers of regulatory scrutiny, including detailed examination during tariff determination proceedings, annual performance reviews and compliance submissions before the Hon'ble Commission. The Hon'ble Commission has the authority to seek information, conduct reviews and issue directions as deemed appropriate.

4. ***Reliability***

Response:

Through investments and operational enhancements over the last five years, TPCODL has demonstrated a steady improvement in key reliability indices – SAIFI & SAIDI, indicating measurable progress in outage management, preventive maintenance, and overall network strengthening.

As per the report of Consumer Service Rating of DISCOM (CSRD) published by Ministry of Power, Govt. of India for FY 23-24, the Hours of Supply (HoS) reflects the average number of hours electricity is supplied to customers each day. There has been a significant improvement in TPCODL service area with almost 99% availability in Urban areas and 94% in Rural Areas:

No.	Particular	TPCODL	National Average	National Max	National Min
1	Hours of Supply - Urban	23.70	23.53	24.00	21.44
2	Hours of Supply - Rural	22.58	21.57	23.92	15.33
3.	DT Failure Rate	2.90%	6.4%	51%	0%

5. ***Redress mechanism: There are numerous complaints by consumers regarding wrong billing, disruption of supplies, delay in providing power, and so on. The so-called Grievance Redressal Forums (GRF) consist of officials of Tata Power. How can the consumers expect non-partisan redress of their grievances? It is high time the learned OERC exercises its powers under Regulation 3(6) of the OERC (GRFO) Regulations, 2004 and forms Grievance Redressal Forums in every district co-opting the Collector of the district as its Chairman.***

Response:

Grievance Redressal Forums operate strictly in accordance with the OERC (Grievances Redressal Forum and Ombudsman) Regulations, 2004.

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6. Reply to Objections/ Suggestions by M/s East Coast Railway against Case No. 136/2025

1. ***Railways be treated as separate category and tariff (HT & EHT) be fixed at lower level than that of tariff for other EHT and HT consumers in the state.***

Response:

There is a separate Tariff Category for Railway Traction. The Hon'ble Commission has, in the Retail Supply Tariff Order dated 24.03.2025, continued the special Rebate of Rs. 0.25 per kWh to "Railway Traction" consumers for the FY 2025-26. The extract from the Tariff Order is as follows:
"Railway Traction category shall get a rebate of 25 paise per unit for all the units consumed in addition to all other rebates they are eligible to avail."
Hence, in our humble submission, the Railways have already been provided a concessional tariff by the Hon'ble Commission.

2. **It is also requested to increase the Special rebate to Railway Traction from 25 Paise/KVAH to Re. 1/KVAH**

Response:

The Hon'ble Commission has already provided a special rebate of 25 paise per kVAh to the Railway Traction category in the Retail Supply Tariff Order for FY 2025-26. The relevant extract from the Tariff Order is as follows:
"Railway Traction category shall get a rebate of 25 paise per unit for all the units consumed in addition to all other rebates they are eligible to avail."

It is respectfully submitted that the tariff for each category, including the extent of rebates, is determined by the Hon'ble Commission after considering the Average Cost of Supply, the cross-subsidy limits, and the overall revenue requirement of the sector.

3. ***'Railways to be charged at unit rate which is actual cost of supply of power to EHT category of consumers. The Respected Respondent has observed the category wise Tariff estimated by TPCODL in Form F-5.***

Response:
The Tariff determination for the state is the sole prerogative of the Hon'ble Commission. The Retail Supply Tariff for the entire state is same, hence the Hon'ble Commission consider data of all four Discoms for determination of tariff and not just one Discom. While determining the tariff for each category (i.e. LT,HT and EHT) , the Hon'ble Commission determines the Average Cost of Supply for

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the entire state and then determine the LT,HT and EHT wise tariff by keeping the cross subsidy limited to within ± 20% as per mandate of the National Electricity and Tariff Policy.

The Demand Charge reflects the recovery of fixed cost payable by the consumers as capacity is reserved for them by the licensee. To insulate the licensee from the risk of financial uncertainty due to non-utilisation of the contracted capacity by the consumer, it is necessary that the consumer pays at least a certain amount of fixed cost to the licensee.

4. **Request for Reduction in existing Demand Charges and Energy Charges and Railway traction tariff be considered at par with that of organizations having > 60 % Load factor. Also Load factor incentive may be from 40% instead of 60%.**

Response:

In this regard, we wish to submit that it is desirable that consumers operate with high load Factor as higher load factor improves the utilization of assets. Accordingly, if the Load Factor beyond which the lower tariff (i.e Rs 4.70 per KVAH) is applicable is set higher, it incentivizes the consumer consume higher energy from Discom to enable him to get the lower tariff. Hence the reduction of Load Factor threshold would not be in the interest of the above objective. We therefore would prefer that the Load Factor threshold of 60% is retained for all the consumers.

5. **Exemption of Railway Traction category from Solar Normal & Peak Hour Tariff (TOD Rebate/ Surcharge)**

Response:

TPCODL respectfully submits that while the OERC regulation mentions smart meters, the fundamental requirement is the capability to record time-differentiated consumption data for implementing ToD tariffs. The HTTV meters (Apex-100) currently installed at Railway Traction substations are advanced metering devices that fully comply with IS 13779:2017 standards and possess all the technical capabilities necessary for recording and storing time-block wise consumption data, which is essential for ToD billing. These meters can effectively measure, record, and store consumption data across different time blocks (solar, normal, and peak hours) with the same accuracy and reliability as smart meters.

The specification of smart meters in the regulation should be interpreted in terms of the functional requirement - the ability to record time-differentiated consumption - rather than the specific technology nomenclature. The HTTV meters installed for Railway Traction fully satisfy this functional requirement, as they provide detailed time-stamped consumption data, load profile recording, and other advanced metering features necessary for accurate ToD billing. In

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fact, the HTTV meters being used are more sophisticated than basic smart meters and have been specifically designed for high-tension applications like Railway Traction.

6. **Ignorance of Maximum Demand (MD) rise / overshoot of both the adjacent RTSSs during their feed extension over the RTSS where incoming supply failed due to OPTCL reason. DISCOMs may be advised to ignore the MD rise/overshoot in the same month as some DISCOMs are taking months together to resolve the case**

Response:

As per the present practice adjustment of any excess "Demand charge" is regularized in the next billing on proper verification of the report of Central MRT/OPTCL on feed extension, so the proposal of Railway to ignore the recorded MD within the same month is not correct. Moreover, the interruption in EHT line is very rare and therefore the issue of feed extension to all the traction points is not a common phenomenon to all the Traction points in each month.

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7. Reply to Objections/ Suggestions by M/s. Seafood Exporters Association of India, Odisha Region against Case No. 136/2025

1. Para 1

1. That the present application has been filed in respect of the misclassification of "cold storage" as a "processing activity" by Tata Power Central Odisha Distribution Limited (TPCODL). OERC's regulatory framework is designed to safeguard public health and ensure industry compliance with appropriate safety standards. By incorrectly categorizing cold storage as processing, TPCODL has imposed unjustified regulatory and financial burdens on cold storage facilities, undermining the regulatory intent to facilitate efficient and safe food preservation while leading to an unfair, arbitrary and illegal labor cost burden on cold storage facilities. The sudden illegal reclassification by TPCODL without a substantial change in regulation or practices is arbitrary and without any legal or regulatory basis.

Response:

1. On 21.05.2004, this Hon'ble Commission notified Orissa Electricity Regulatory Commission (Distribution of Supply) Code, 2004 ("**Supply Code, 2004**"). On 31.10.2007 OERC Distribution (Conditions of Supply) (4^{th} Amendment) Code, 2007 was notified which introduced a new category of consumers, 'Agro-Industrial Consumers', which was defined as below:

   "80(5)(1) – Agro Industrial Consumers: This category relates to supply of power for Pisciculture, Hotriculture, Floriculture, Sericulture and other allied agricultural activities including animal husbandry, poultry and cold storage (i.e. temperature-controlled storage where flowers, fruits, vegetables, meat, fish and food etc. can be kept fresh or frozen until it is needed)."
2. Thereafter, through OERC Distribution (Conditions of Supply) (5^{th} Amendment) Code, 2009 notified on 19.10.2009, Regulation 80 (5) of the Supply Code 2004 was amended and another the category, "Allied Agro-Industrial Activities" ("**AAIA**"), was introduced, which was defined as below:

   "80(5)(iii): Allied Agro-Industrial Activities: This category relates to supply of power to Cold Storages (i.e. a temperature controlled storage where flowers, fruits, vegetables, meat and fish can be kept fresh or frozen until it is needed) and includes chilling plant for milk and only the cold storages attached to processing units for meat, fish, prawns, flowers, fruits and vegetables."

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Pertinently, the Orissa Electricity Regulatory Commission (Distribution of Supply) Code, 2019 ("**Supply Code, 2019**") also provides AAIA as one of the categories of the consumers and defines AAIA as follows:

"138(g): Allied Agro-Industrial Activities: This category relates to supply of power to ***Cold Storages*** *(i.e. a temperature controlled storage where flowers, fruits, vegetables, meat and fish can be kept fresh or frozen until it is needed) and includes chilling plant for milk and* ***only the cold storages*** *attached to processing units for meat, fish, prawns, flowers, fruits and vegetables"*

3. Subsequently, this Hon'ble Commission issued Tariff Order for FY 2012-13 wherein it directed that the Food Processing Unit ("**FPU**") attached with cold storage shall be charged at Agro-Industrial Tariff if cold storage load is not less than 80% of the entire connected load. If the load of the FPU other than cold storage unit exceeds 20% of the connected load, then the entire consumption by the cold storage and the processing unit taken together shall be charged with the tariff as applicable for general purpose or the industrial purpose as the case may be. This direction has been time and again passed by this Hon'ble Commission in all the tariff orders for subsequent FYs till date.

4. In compliance of the above constant directions passed by this Hon'ble Commission since FY 2012-13, i.e., more than a decade, the Sea Food processing units has classified/ reclassified the units as general purpose or the industrial purpose as the case be, in which the load of the food processing unit other than cold storage unit exceeds 20% of the connected load, then the entire consumption by the cold storage and the processing unit taken together.

2. Para 2

2. That the current dispute arises from the misclassification by TATA Power Authorities of temperature-controlled activities such as freezing and cold storage as processing activities. This misclassification warrants careful examination in light of authoritative judicial precedents which have previously addressed similar misunderstandings within the regulatory framework. Notably, the Hon'ble Orissa High Court in the case of *Prithwiraj Dairy Products Pvt. Ltd. v. State of Odisha W.P (C) No. 6516 of 2009* distinctly addressed issues of tariff categorization (Annexure-I), overturning inappropriate interpretations that did not accurately reflect the nature of the activities involved. Additionally, the apex jurisprudence, as manifested in *Sterling Seafoods v. State of Karnataka [1986] 63 STC 239 (SC)* by the Hon'ble Supreme Court, (Annexture-II) has clearly defined the distinctions between processing activities and mere preservation methods such as cold storage. These judicial decisions underscore the need for precise regulatory tariff classifications, affirming that activities aimed solely at preservation without transformation, such as cold storage, should not be merged with processing activities under the current tariff regime.

Response:

1. It is submitted that the units which have been classified/ reclassified by the Petitioner as "general category" has been undertaking processing activities, other than storing the products in controlled temperature. The Petitioner has ascertained the use of electricity load at these units by duly conducting verification at these units. If in the verification, the petitioner has found that the process load of these units is more than 20% of the connected load, in such event, the petitioner in compliance of the directions of this Hon'ble Commission has classified/ reclassified these units as "general category".

3. ***Para 3***

3. That in an effort to bolster the agricultural and agro-processing sectors within the state, the Commission issued a Notification dated September 11, 2007, which was published in the Orissa Gazette on October 31, 2007. This notification amended the OERC Distribution (Conditions of Supply) Code, 2004, introducing a new category of consumers known as "Agro Industrial Consumers" under Regulation 80(5) of Code 2004. This category was specifically designed to cater to the power needs of various agricultural activities including pisciculture, horticulture, sericulture, animal husbandry, poultry, and temperature-controlled storage for perishable items such as flowers, fruits, vegetables, meat, fish, and other food products, which require refrigeration to remain fresh or frozen until needed.

Response:

1. On 21.05.2004, this Hon'ble Commission notified Orissa Electricity Regulatory Commission (Distribution of Supply) Code, 2004 ("**Supply Code, 2004**"). On 31.10.2007 OERC Distribution (Conditions of Supply) (4^{th} Amendment) Code, 2007 was notified which introduced a new category of consumers, 'Agro-Industrial Consumers', which was defined as below:

"80(5)(1) – Agro Industrial Consumers: This category relates to supply of power for Pisciculture, Hotriculture, Floriculture, Sericulture and other allied agricultural activities including animal husbandry, poultry and cold storage (i.e. temperature-controlled storage where flowers, fruits, vegetables, meat, fish and food etc. can be kept fresh or frozen until it is needed)."

2. Thereafter, through OERC Distribution (Conditions of Supply) (5^{th} Amendment) Code, 2009 notified on 19.10.2009, Regulation 80 (5) of the Supply Code 2004 was amended and another the category, "Allied Agro-Industrial Activities" ("**AAIA**"), was introduced, which was defined as below:

"80(5)(iii): Allied Agro-Industrial Activities: This category relates to supply of power to Cold Storages (i.e. a temperature controlled storage where flowers, fruits, vegetables, meat and fish can be kept fresh or frozen until it is needed) and includes chilling plant for milk and only the cold storages attached to processing units for meat, fish, prawns, flowers, fruits and vegetables."

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4. Para 7

7. That, following this directive the OERC amended the supply code regulation by redefining Regulation 80(5) of the Code, 2004 to Regulation 80(5)(i) to (iii), thereby creating a new category "Allied Agro-Industrial Activity" (AAIA) and subsequently establishing a new tariff rate applicable to the same.

Response:

Already answered in response to Para 1

5.

That since 2009, all seafood processing units and cold storages have been categorized under "Allied Agro-Industrial Activities" (AAIA) and have continued to benefit from the tariff rate applicable to this consumer category. This categorization persisted under the OERC Supply Code 2019, effective from the issuance of Odisha Gazette notification No-1927 dated 11th October, 2019. Regulation 138(g) of the OERC Supply Code 2019 defines "Allied Agro-Industrial Activities" (AAIA) as follows:

138(f): ***Allied Agricultural Activities****: This category relates to supply of power for Aquaculture (which includes Pisciculture/ Prawn culture), Horticulture, Floriculture, Sericulture, Animal Husbandry and Poultry. Activities such as ice factories, chilling plants, cold storages, cattle/poultry/ fish units and food/ agri products processing units are excluded. In case a feed unit is attached to a poultry farm/ aqua culture farm/cattle rearing farm and has a connected load of less than 20%of the connected load of the whole farm than the tariff of the power consumed by such farm shall be treated under this category.* ***If the connected load in the attached feed unit exceeds 20% of the total connected load than the entire consumption of the farm and feed processing unit taken together shall be charged with the tariff as applicable for General Purpose or the Industrial purpose as the case may be.***

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"138(g): Allied Agro-Industrial Activities: This category relates to the supply of power to 'Cold Storages' (i.e., a temperature-controlled storage where flowers, fruits, vegetables, meat, and fish can be kept fresh or frozen until needed) and includes chilling plants for milk and only the cold storages attached to processing units for meat, fish, prawns, flowers, fruits, and vegetables."

While the aforesaid amendment provided for competitive tariff for allied agro-industrial units, it is pertinent to mention that did not specify any load restrictions for cold storage/processing units operated by consumers classified under this category. So there is no question of 80/20 in the present case of the Petitioner.

Response:

Hon'ble Commission issued Tariff Order for FY 2012-13 wherein it directed that the Food Processing Unit ("**FPU**") attached with cold storage shall be charged at Agro-Industrial Tariff if cold storage load is not less than 80% of the entire connected load. If the load of the FPU other than cold storage unit exceeds 20% of the connected load, then the entire consumption by the cold storage and the processing unit taken together shall be charged with the tariff as applicable for general purpose or the industrial purpose as the case may be. This direction has been time and again passed by this Hon'ble Commission in all the tariff orders for subsequent FYs till date.

6. Para 9

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9. That in the Retail Supply Tariff notification effective from April 1, 2023, the Commission stipulated in point (xxii) that "*The food processing unit attached with Cold Storage shall be charged at Agro Industrial Tariff if Cold Storage Load constitutes no less than 80% of the entire connected load. Subsequently, the total consumption by the Cold Storage and food processing unit, taken together, shall be charged with tariffs applicable for general purposes or the industrial activity, as the case may be.*

In the present case the applicable tariff of the Objector is Allied Agro Industrial Activities (AAIA) tariff but not under Allied Agricultural Activities (AAA) tariff, as Objector's unit coming under Prawn Processing Unit.

In this regard, some of the order of Hon'ble Courts relating to processing unit, are as below:

a. Hon'ble Constitution Bench of the Hon'ble Supreme Court in PTC India Limited Vs. Central Electricity Regulatory Commission.

b. Hon'ble Supreme Court in Sukhadev Singh Vs. Bhagatram Sardar Singh Raghuvanshi.

Response:

PTC India Limited Vs. Central Electricity Regulatory Commission:
Respectfully submitted that the judgment by Hon'ble Supreme Court in PTC India Ltd. Vs CERC (2010 AIR Supreme Court 1338) has dealt with following issues:

(i) Whether the Appellate Tribunal constituted under the Electricity Act, 2003 ("2003 Act") has jurisdiction under Section 111 to examine the validity of Central Electricity Regulatory Commission (Fixation of Trading Margin) Regulations, 2006 framed in exercise of power conferred under Section 178 of the 2003 Act?
(ii) Whether Parliament has conferred power of judicial review on the Appellate Tribunal for Electricity under Section 121 of the 2003 Act?
(iii) Whether capping of trading margins could be done by the CERC ("Central Commission") by making a Regulation in that regard under Section 178 of the 2003 Act?

It is abundantly clear that in the referred judgment there was no occasion to discuss classification of tariff category or nature of activity for this purpose. Objector's reference to this judgment is irrelevant and hence does not merit any attention.

Similarly, in Sukhadev Singh Vs Bhangatram Sardar Singh Raghuvanshi the issue before Hon'ble Supreme Court was examined whether ONGC, LIC, and IFC are "authorities" under Article 12 of the Constitution and whether their service regulations have the force of law governing employee rights. The Supreme Court held that these statutory corporations are Article 12 authorities, their regulations have statutory force, and employees dismissed in violation of such regulations are entitled to reinstatement. It does not discuss processing units.

Therefore, there was no occasion for Hon'ble Court to discuss 'processing' in the context of present objections and for this reason this judgment also does not need any discussion for the purpose of these proceedings.

7. Para 10

10. That the objector submits that TPCODL has adopted an interpretation of regulatory guidelines that deviates from the understanding and practices of other Distribution Companies (Discoms) such as TPNODL, TPSODL & TPWODL fails to recognize that cold storages or temperature-controlled activities are not merely ancillary but are integral to the entire seafood processing unit, differing fundamentally from practices in other food industries.

Response:

It is submitted that as per the definition of AAIA given in the Supply Code 2004 and Supply Code, 2019, in case a Cold Storage Facility is attached to the Unit, then only such Cold Storage Facility falls under AAIA and not the Unit. This was also clarified by this Hon'ble Commission *vide* its letter dated 08.12.2009 that AAIA only includes Cold Storage Facilities attached to Unit for seafood, meat, flowers etc. Under AAIA, the processing facility itself stands excluded. As evident from the submissions made above, the members of the Objector undertake multiple activities at their units before Seafood is stored in Cold Storage Facilities.

8. Para 11

11. That currently TPCODL is engaged in coercive tactics, aiming to reclassify all relevant units under its jurisdiction to the Large Industry category, departing from their existing classification under the "Allied Agro-Industrial Activity" (AAIA) category. TPCODL justifies its actions by erroneously categorizing freezing activities as processing or industrial activities of a large or medium scale, rather than recognizing them as temperature-controlled activities essential for the preservation of seafood.

Response:

It is also vehemently denied that TPCODL has adopted an interpretation of regulatory guidelines that deviate from the understanding and practices of other Distribution Companies or that TPCODL is engaged in the coercive tactics. From the submissions made above, it is clear that the classification/ reclassification of a consumer from AAIA category to GPS category by the Petitioner is in compliance with the regulatory framework and is proper.

9. Para 12

12. That furthermore, the practical application and industrial standard practices pertaining to cold storage in the seafood sector, particularly in export-centric regions, underscore a clear distinction from processing activities in several critical ways:

Response:

Intent Behind Introduction of the ‘Agro-Industrial Consumers’ Category

The Hon’ble OERC, in the Tariff Order for FY 2009-10 (Paragraphs 252–258), has elaborated the exact purpose for which the category “Agro-Industrial Consumers” was introduced. In Paragraph 254, the Hon’ble Commission has clearly held that:

“…the intention to introduce the category of ‘Agro-Industrial Consumers’ was not to encourage business, commerce and trade, but storage as an adjunct to farming, for temporary periods, before the produce gets into the market…”

This makes it evident that the category applies only to activities that are directly connected to temporary preservation of raw agricultural produce as an extension of farming—not to commercial processing units.

Cold Storage vs. Processing – Explicit Stand of Hon’ble OERC

In Paragraph 255, the Hon’ble Commission has categorically stated:
“While cold-chains are essential for agricultural marketing, their promotion is a function of Government and not of electricity tariff. The limited promotion that electricity tariff can provide has already been provided.”

Furthermore, the Commission expressly declined to expand tariff benefits to commercial processing activities.

In Paragraph 256, the Commission has settled the very issue raised by this consumer:
“There is no doubt that prawn farming is a type of piscicultural activity, but prawn processing cannot be called farming or rearing. Prawn is processed after being harvested. Hence, prawn processing cannot be treated as pisciculture in a farm.”

This statement removes all ambiguity—the activity of prawn/fish processing is not covered under Allied Agro-Industrial Activity.

1. Distinction Between Cold Storage and Processing

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There is clear distinction between the two activities clearly:

- Cold Storage merely *preserves* seafood in its original state without altering physical or chemical properties.
- Processing Activities involve *transformation* of product characteristics through grading, cleaning, chemical/physical treatment, addition of preservatives, etc.

Regulatory and tariff implications listed in their own document expressly state:

- Cold Storage aligns with agricultural/raw food storage practices.
- Processing Activities require *distinct tariff classification* because they involve value addition and transformation beyond mere preservation.

Since the consumer's facility includes grading, cleaning, dressing, adding preservatives, and altering product characteristics, the activity is squarely classified as "Processing" and not "Cold Storage."

10. Para 13

13. That in the units represented by the objector, it is essential to clarify that the fish and shrimps remain unchanged in their fundamental nature and character. The objective of

the freezing process employed within these units is solely to maintain the freshness of the fish and shrimps by curtailing bacterial growth, ensuring that the products do not lose their form or inherent qualities. This is in accordance with regulations that define cold storage activities as temperature-controlled activities aimed at keeping perishable items fresh or frozen.

Response:

From the bare perusal of the processing procedure given by the Objector its petition before the Hon'ble OERC, it is clear that after raw material is weighted, it is be-headed/peeled/deveined. Then the seafood is dressed, sorted and graded. The aforementioned posits that the Objector admitted that the activities undertaken by its members at their units are in the nature of temperature-controlled processing and not temperature-controlled storage. It is submitted that merely because the entire processing takes place at a controlled temperature, the entire processing unit cannot fall under the definition of temperature-controlled storage/cold storage.

11. Para 14

14. That it is important to distinguish that the entire process employed in seafood processing plants is aimed at preservation, analogous to the operations of milk chilling plants where milk is preserved to maintain its quality. The primary difference lies in the terminology; 'processing' is frequently used in the seafood industry to describe what is essentially a freezing or chilling operation. This distinction is critical as milk chilling plants are explicitly covered under regulation due to their terminology, and similar consideration should be extended to seafood processing units. The Commission and Discoms have been aware of the use of freezing equipment in these units since the submission of our petition (Case no.85/2009) in 2009, and have consistently allowed the Allied Agro-industrial Activity (AAIA) tariff category in recognition of the non-transformative nature of these activities since 2008-09.

Response:

The difference between *Cold Storage* and *Processing* activities is well-defined and unambiguous.

Cold Storage: Cold storage facilities are meant solely for preservation of seafood in its natural and original state. The purpose is to inhibit bacterial activity and extend shelf life without causing any physical or chemical modification.

Accordingly, cold storage operations:

- Do not alter the essential characteristics of the product.
- Do not involve cleaning, dressing, grading, cutting, or use of preservatives.
- Are aligned with agricultural and raw food storage practices.
- Are treated under tariff categories meant for non-transformative preservation activities.

Processing Activities: Processing, on the other hand, constitutes a set of operations that bring about transformation in the product. These activities involve:

- Cleaning, grading, dressing, peeling, and cutting;
- Using physical or chemical treatments;
- Incorporating preservatives or additives;
- Altering taste, texture, or nutritional properties.

Such actions result in a product that is different from the raw seafood in its original form, thereby amounting to value addition.

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Consequently, processing activities:

- Fall under distinct tariff classifications,
- Are treated as industrial/processing operations, not as agricultural storage,
- Cannot be categorized under Cold Storage or Agro-Industrial preservation activities.

Based on the activities carried out in the consumer's premises—such as grading, cleaning, dressing, use of preservatives, and modification of product characteristics—the unit is engaged in processing, not cold storage.

Therefore, the consumer's activity is squarely categorized as "Processing" and cannot be treated as Cold Storage or as an Allied Agro-Industrial Activity.

12. Para 16

16. That the objector respectfully requests the Hon'ble Commission to intervene and rectify this misinterpretation and misapplication of regulations by TPCODL, ensuring that freezing and cold storage activities are properly classified under the AAI category, reflecting their true function in the seafood processing industry. This correction is vital to maintaining the integrity and sustainability of seafood processing practices that significantly contribute to the regional and national economy.

Response: Already provided in response to Para 14

13. Para 17

17. That, this stance is further supported by the Supreme Court judgment in *Sterling Seafoods vs State of Karnataka* (1986) 63 STC 239 and corroborated by a two-judge

Response:

It is submitted that a sectoral commercial implication is not and cannot be the basis of tariff determination. The profitability of a particular sector or an industry is not an element to be adjudicated by this Hon'ble Commission in tariff determination under the extant statutory and regulatory framework. If due to the commercial implications, any subsidy or concession is to be provided to any sector, the same has to be provided by the Government in terms of the mandate of the Electricity Act, 2005. The same cannot be determined by this Hon'ble Commission.

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The Judgments cited are essentially limited to the tax jurisdiction and has no relevance for the purpose of fixing electricity tariff. Further, the differentiation made in those judgments are with respect to raw material vis a vis manufacturing. Processing is a different activity than manufacturing and therefore those judgments cannot be relied upon in the context of categorisation of electricity tariff as its objective is not similar to that of fixing any tax on the assesses. It is relevant of mention here that one of the key objectives of the process of tariff determination is 'cost reflective tariff' which is defeated by allowing subsidised tariff to profit earning establishments.

14. Para 18

18. That, this interpretation which misclassifies freezing - a temperature-controlled activity - as a processing activity. This interpretation, which diverges from established practices intended for other sectors, has significantly disrupted the entire seafood exporting sector. The direct consequence of this misclassification has been the undue imposition of heavy financial burdens on these units, leading to the closure of many exporting operations and demoralizing stakeholders across the sector.

Response:

As responded in above paragraphs, the distinction between 'temperature controlled' storage and processing is the key element for differentiating the usage. Contrary to the argument that interpretation diverges from established practices for other sectors, seafood processing is at the same footing as adopted for other (food) processing industries. Further, the argument that electricity tariff has increased the financial burden on the sector is an exaggerated expression disproportionate to the actual impact.

15. Para 19

19. That in the tariff appeals for the FY 2024-25, 2025-26 and 2026-27, TATA Power has notably omitted any mention of the significant reclassification of seafood processing and cold storage units from the "Allied Agro-Industrial Activity" (AAIA) Category to the Large Industry Category (LI), effective from 1st April, 2023. This reclassification, which potentially affects a major portion of the load and has substantial revenue implications, has not been disclosed or accounted for in TPCODL's financial statements or submissions to the Commission.

Response:

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The DISCOMs have implemented the correct tariff classification, without deviating from the Regulatory norms fixed by this Hon'ble Commission. Objectors' persistent allegations against the DISCOMs is an attempt to deviate from the objective behind classification of tariff category that has repeatedly been emphasised by this Hon'ble Commission.

16. Para 20

20. That the objector urges the Hon'ble Commission to critically examine the action of TATA Power and the manner in which it potentially jeopardizes the interests of the state and its aquaculture and seafood exporters by withholding crucial data and information. The absence of detailed disclosures regarding the so-called unauthorized use of electricity under Section 126 of the Electricity Act, which has led to hefty fines and charges purportedly enhancing TATA Power's revenue in the Large and Medium Industry categories, is particularly concerning. Such non-disclosure, especially when it results in financial gains for TATA Power, may constitute an unfair trade practice, adversely affecting the entire aquaculture sector which benefits from the cross-subsidies intended for the Allied Agro Industry. These issues warrant immediate and thorough investigation

Response:

TPCODL strictly adheres to the Regulations, Codes and Tariff Orders issued by the Hon'ble Commission. The Commission has, on numerous occasions through its Tariff Orders and related clarifications, expressly laid down the scope and limits of the *Allied Agro-Industrial Activities* category. The activities carried out by the seafood sector—particularly fish and prawn processing—do not fall within this category as repeatedly clarified by the Hon'ble Commission. It is important to note that the seafood export industry operates as a high-value, profit-driven commercial sector, and therefore tariff concessions meant exclusively for genuine agricultural and allied agro activities cannot be extended to such processing units. Extending agricultural rebates to non-eligible commercial processing units would impose an unwarranted financial burden on the general body of consumers, who ultimately bear the cross-subsidy required for such unwarranted concessions.

Any assessment, billing correction, or recovery made under the appropriate and applicable tariff category—including assessments under Section 126 of the Electricity Act, 2003—forms part of the utility's Annual Revenue Requirement (ARR). Such lawful recovery directly benefits all electricity consumers of the State by ensuring that only eligible categories receive subsidized tariffs and that the cost of supply is not distorted by incorrect classification.

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Therefore, the contention that TPCODL's actions jeopardize consumer interests or constitute any form of unfair trade practice is incorrect and unfounded. TPCODL has acted strictly in compliance with the Commission's Regulations and binding Tariff Orders, and the assessments made under the correct tariff classification protect the broader consumer interest of the State.

17. Para 19

21. That, the approach taken by TATA Power, which appears to be singularly focused on enhancing its revenue streams, deviates significantly from both the letter and spirit of Regulation 138(g) of the OERC Supply Code 2019. This Discom's strategy involves a narrow interpretation whereby only the storage of frozen shrimp is classified as cold storage activity, while the storing of raw shrimp to later obtain frozen shrimp is not recognized as such. This distinction is unsupported by legal standards and overlooks the comprehensive regulatory framework intended to support the aquaculture sector.

Response:

As previously stated, there exists a clear and well-established distinction between cold storage activities and processing activities. Shrimp processing involves grading, cleaning, dressing, and other forms of product transformation, and therefore cannot be categorized as a cold storage operation.

Consequently, the Allied Agro-Industrial Activities (AAIA) tariff classification is not applicable to shrimp processing units. The categorization has been made strictly on the basis of the legal framework, the Regulations, and the consistent clarifications issued by the Hon'ble Commission in its Tariff Orders.

This position has already been categorically explained in the response to Para. 12, wherein it was clarified that processing activities do not fall within the scope or intent of the AAIA category.

18. Para 22

TPCODL

22. That moreover, this regressive policy threatens to severely impact the seafood export units by way of increasing per unit energy cost with heavy demand charges, particularly at a time when the shrimp farming sector is already facing challenges due to declining global shrimp prices and elevated logistical costs. The adverse ripple effects of such a policy could devastate rural employment, including shrimp and fish farming and the capture fisheries sector, where a significant proportion of the workforce comprises women 70% above employed in seafood processing units. The viability of shrimp farming is currently so compromised that less than half of the potential cultivation capacity is operational. The marked reduction in power consumption within this sector, which can be substantiated by TATA Power's own records, further illustrates the diminishing operational scale.

Response:

The categorisation of the consumer under the applicable tariff category has been carried out strictly based on the nature of actual electricity usage observed at the premises. TPCODL is obligated to follow the Regulations, Codes, and Tariff Orders issued by the Hon'ble Commission, and the present classification has been made in full compliance with these regulatory guidelines.

TPCODL does not exercise discretion outside the regulatory framework; it only implements the tariff categorisation as prescribed by the Hon'ble Commission. Accordingly, the classification applied in this case is proper, justified, and fully aligned with the statutory and regulatory provisions governing tariff applicability.

19. Para 23

23. That the TATA Power persists in leveraging policy for its financial benefit, the potential consequences could be severe, leading to widespread industrial unrest, protests, and agitation across the state. Such outcomes, deeply regrettable and directly attributable to TATA Power profit-driven and unilateral actions, would significantly destabilize the sector. Additionally, shrimp farming associations across India are now advocating for Minimum Support Prices, a movement that could further escalate tensions. This advocacy could severely challenge the government's ability to provide necessary benefits to this sector. The potential withdrawal of investment and the ensuing financial instability might lead to bankruptcy and increased unemployment, critically undermining the state's efforts to promote its marine fisheries potential as an attractive investment opportunity.

NOTARY
ODISHA (INDIA)

Response:

The concerns raised regarding broader sectoral impacts, possible unrest, or speculative economic consequences fall outside the scope of tariff classification and regulatory compliance under the Electricity Act and the Tariff Orders of the Hon'ble Commission.

TPCODL's role is limited to implementing the Regulations and Tariff provisions issued by the Hon'ble Commission, strictly in accordance with the applicable legal framework. Decisions on tariff categorisation are made solely on the basis of actual nature of usage and regulatory mandates, and not on economic projections, industry movements, or potential policy debates. While TPCODL appreciates the stakeholder's perspective, issues relating to national aquaculture policy, minimum support price advocacy, or investment behaviour in the seafood sector are matters of government policy and do not influence tariff applicability or enforcement actions carried out under the Commission's Regulations.

TPCODL remains committed to:

- adhering to the Hon'ble Commission's directions,
- ensuring correct tariff application, and
- protecting the overall interest of electricity consumers in the State.

Speculative assertions about unrest, unemployment, or sectoral disruption therefore have no bearing on the regulatory obligations that TPCODL is required to discharge.

20. Para 24

24. That the objector respectfully requests that the Odisha Electricity Regulatory Commission (OERC) provide explicit clarification regarding the ongoing ambiguity in the differentiation between 'processing plants' and 'cold storage' facilities within the tariff proceedings. This clarification is essential for resolving current disputes and ensuring the stability and growth of the aquaculture and fisheries sector, which supports over 1.6 million people and is crucial for the state's export revenue and the national economy.

Response:

The tariff categorisation applied in this case is correct and fully compliant with the Regulations and the Tariff Orders issued by the Hon'ble Commission. It is important to reiterate that the *Allied Agro-Industrial Activities (AAIA)* category was introduced by the Commission for a very specific and limited purpose—namely, to extend tariff benefits to activities that function as an adjunct to farming, primarily involving the *temporary storage and preservation of raw agricultural produce* before it enters the market.

As clarified in the Commission's Tariff Orders, the AAIA category was not intended to cover commercial, value-added, or export-oriented processing activities. Seafood processing, including shrimp processing, involves grading, cleaning, dressing, and other transformative steps, and therefore cannot be equated with cold storage or farm-adjunct preservation. This position has already been elaborated in the response to Para 12, where the distinction between cold storage and processing was clearly explained.

Accordingly, the consumer's activity does not fall within the scope or intent of the AAIA category, and the existing tariff categorisation is appropriate and justified.

Broader concerns raised about potential economic impacts, industry reactions, or speculative consequences are not relevant to tariff determination. TPCODL's mandate is to implement the legal framework and regulatory directions issued by the Hon'ble Commission, and the categorisation applied in this case is in strict accordance with those requirements.

21. Para 25

25. That the Objector respectfully requests the Hon'ble Commission to issue a clarification that all temperature-controlled activities such as freezing should be classified as cold storage activities and fall under the "Allied Agro-Industrial Activity" (AAIA) category, akin to the treatment of Milk Chilling units. The freezing equipment used in seafood plants operates on the same principle as chilling equipment in Milk Chilling units, which is to control temperature for the preservation of fish or milk to retain their freshness. It is imperative that shrimp or fish processing units, which do not alter the character or nature of the products, be treated in the same regulatory manner as Milk Chilling Units, as explicitly stated in the regulation. This clarification will ensure consistency in regulatory treatment and support the continued viability and sustainability of the seafood processing industry.

Response:

Objector's attempt at drawing parallel with 'milk chilling' plants is misplaced, ignoring the fact that milk chilling as such falls under 'storage' where there is only storage under controlled temperature. On the other hand, any other activity of processing appurtenant to milk by-products is classified under 'industrial' activity.

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22. Para 26

26. That such actions by TATA Power have created a precarious situation for the seafood industry, adversely impacting the livelihoods of lakhs of shrimp farmers, boatmen, trawler owners, and the many others directly and indirectly employed in this sector. The petitioner respectfully urges the Hon'ble Commission to rectify this grievous misapplication of the Tariff order and to provide clear guidelines that prevent the unjust penalization of seafood processing and cold storage units under regulations not intended for them. This corrective measure is imperative to ensure the stability and growth of the seafood sector and to protect the interests of all stakeholders involved.

Response:

The issues raised in Para 26 are outside the scope of tariff classification. Objector's reference to the primary activities in seafood production is a misplaced argument. The tariff provisions pronounced by this Hon'ble Commission and repeated clarifications on the issue has always clarified that farming and other allied activities are different from processing. Objector's attempt to encompass all the primary, secondary and tertiary activities under one umbrella is clear attempt to hoodwink the real issue. TPCODL has only applied the tariff category as per the Hon'ble Commission's Regulations and Tariff Orders. As already clarified, *Allied Agro-Industrial Activities* were created for farm-adjunct storage—not for seafood processing. The categorisation applied is therefore correct and fully compliant.

23. Para 27

27. That the case has been initiated to emphasize to the Hon'ble Commission the significant reliance of lakhs of prawn farmers on seafood exporters and to advocate for the maintenance of the current tariff rates applicable to the "Allied Agro-Industrial Activities" (AAIA) category. Furthermore, it seeks a clear clarification that all seafood processing and cold storage operations should consistently be categorized under the AAI category without any tariff increase.

Response:

At the cost of repetition, it is reiterated that these objections are an attempt to hoodwink the real issue. Activities carried out by prawn farmers cannot be equated with that of processing industries. Tariff and regulatory provisions take care of the needs of two distinct activities and there is no need to re-evaluate the position clarified by this Hon'ble Commission on numerous occasion.

24. Para 28

28. That if additional burdens in power costs are not judiciously considered by the Commission, there could be catastrophic effects, including further closures, significant increases in unemployment and national financial losses, potentially amounting to an investment shortfall of approximately Rs.10,000 crore in the state. The Objector thus urges the Hon'ble Commission to maintain the necessary support through favorable tariff policies to mitigate these risks and ensure the sector's resilience and prosperity.

Response:

It is reiterated that tariff determination is to follow the cost-reflective aspect as envisaged under the Act and National Tariff Policy and any factor not directly related to electricity tariff should not influence the basic principles of this sector. Allowing subsidized tariff to profit intensive sector is never justified at the cost of deserving consumers.

25. Para 29

29. That in light of the grave circumstances currently faced by the sector, the Objector respectfully urges the Hon'ble Commission to attentively consider the critical condition of this industry and take decisive action to support its sustainability. This includes maintaining the "Allied Agro-Industrial Activity" (AAIA) tariff for seafood processing (freezing) and cold storage units, without any increase in future fiscal year.

Response:

TPCODL fully adheres to the guidance and directions of the Hon'ble Commission. However, we respectfully submit that the interests of the larger consumer base should not be burdened in order to extend tariff advantages to commercial processing activities that are not eligible under the regulatory framework.

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8. Reply to Objections/ Suggestions raised by Shri. Akshaya Kumar Sahani against Case No. 136/2025

1. ***Upgradation of transformer and for change of conductor of existing line the Petitioner/ Discom should take care***

Response:

In this regard, it is submitted that the upgradation/augmentation of distribution transformers and system strengthening works are being carried out strictly in accordance with the provisions of the OERC Distribution (Conditions of Supply) Code, 2019 and the directions of the Hon'ble Commission. Such works, required to meet load growth, improve reliability, and maintain statutory standards of supply, are undertaken by TPCODL through its approved CAPEX schemes, including under the head "Load Growth."

2. ***Odisha DISCOMs should not forget that Odisha is a surplus energy generator and tariff is much above in comparison to other state and more than 70% people of Odisha are below poverty line. DISCOMs are collecting money as Additional Security Deposit, forcing consumers to construct line and sub-station without extending any remunerative benefit and bills prepared in this line and also bills are prepared against the provisions of law***

Response:

It is submitted that Security Deposit is a statutory requirement under Section 47 of the Electricity Act, 2003, r/w provisions of the OERC Distribution (Conditions of Supply) Code, 2019. The Security Deposit is intended to secure an amount equivalent to approximately two months' electricity charges, serving as a safeguard against the credit period extended to consumers.

In accordance with Section 47 of the Electricity Act, 2003 and the OERC Supply Code, 2019, DISCOMs are required to undertake an annual review of the Security Deposit for each consumer based on the average electricity consumption during the immediately preceding financial year. Where such review reveals a shortfall or excess in the existing Security Deposit, the differential amount is required to be recovered or adjusted through subsequent electricity bills, as applicable. This annual review mechanism is necessitated by variations in consumption patterns and changes in applicable tariff rates.

Accordingly, the demand raised by the DISCOMs on the basis of electricity consumption for FY 2024-25 has been strictly in compliance with the applicable statutory and regulatory provisions. Periodic review and revision of Security Deposit, as prescribed under the regulations, is essential to safeguard the financial integrity of the distribution business by mitigating recovery risks and is fully aligned with the objectives of the Electricity Act, 2003.

The demand and annual review of Security Deposit is a uniform and well-established practice followed by DISCOMs across the country. The Security Deposit is refundable upon termination of the electricity connection, subject to adjustment of any outstanding dues. It is also pertinent to note that consumers having prepaid meters are exempt from the requirement of furnishing Security Deposit. In view of the above, the demand for additional Security Deposit is legal, justified, and in full conformity with the prevailing statutory and regulatory framework.

3. ***Consumer cannot demand revision of any wrong bill***

That even law of limitation is not applicable to consumers, as per Indian Electricity Act 1910 and Electricity Act 2003 (in short Electricity Act). There is provision in the OERC Regulation 2019, a consumer cannot demand revision of any wrong bill, which is beyond 2 years. This Regulation is against the provisions of Electricity Act.

Response:

The Petitioner is following the practice as stipulated in Supply Code, 2019.

4. ***No credit of interest to the consumer.***

8. That in any case, a consumer has got a favourable order from any Forums below, it has been challenged by the DISCOMs and kept it pending in the Hon'ble High Court for years together. If any order passed in favour of the consumer by the Hon'ble High Court of Orissa, in some pleas or other, it has not been implemented by the DISCOMs. If implemented, that also with wrong interpretation revision bill amount has reduced abnormally. For instance, any bill which are in favour of the consumer in the year 2013, which are stayed by Hon'ble High Court of Orissa on the Writ Petition by the DISCOM and subsequently, Hon'ble High Court passed order in favour of the Petitioner, then in such revision statement, there is no credit of interest to the consumer.

9. That the DISCOMs are attacking subsidized consumers and bills are raised in the name of Section 126 of the Electricity Act 2003. One example is Prawn Processing Units of Odisha. So, it is prayed that person or Authority of DISCOM, who has initiate this and in subsequent stage, consumer got the relief, then such Authority should responsible for expenditures incurred by the DISCOM, which is projected in the Tariff Order. For a wrong action of a litigant Authority / Officer, consumer should not suffer through tariff hike. If responsibility will be fixed on such Authority/ Officer, then it will not happen.

Response:

Petitioner is vehemently denying the fact that orders of GRF/Ombudsman are challenged in High Court during the FY 2024-25 till FY 2025-26 (till dec'25) total 7 cases has been filed at the High Court and the same has admitted by the High Court and in most of the cases Stay has been granted. Further, proceedings of Hon'ble High Court cannot be influenced by the Petitioner.

The Assessments raised by the petitioner on the prawn processing units are as per the regulation and currently sub-judice.

5. DPS on electricity bills

10. That fixing of Monthly Fixed Charges, it should be reduced now. There should not be any hike.
11. That regarding DPS on electric bills, the present procedure should continue.
12. That DPS should not be levied on disputed bills, even which are subjudice before the Forums/Authority/ Hon'ble Courts.
13. That there should be a column in the bill for the amount on disputed bills.
14. That no consumer of Odisha are willfully making delay payment. So DPS should continue, as before.

Response:

The Hon'ble Commission has the sole prerogative on Tariff determination and Tariff design. DPS levy on disputed bills follows OERC Supply Code and Regulations, applying to delays even under sub-judice status unless stayed by court/forums.

6. Load Factor rebate to HT and EHT industries

That load factor rebate to HT and EHT industries, should continue even with CGP. **Without CGP, they can reach 80% load factor, but with CGP, 80% load factor cannot be achieved. This is a beneficial to DISCOMs not to consumers, which should be abolished.**

Response:

The Hon’ble Commission has the sole prerogative on Tariff determination and Tariff design. TPCODL's proposed enhancement of load factor rebate to 20 paise/unit for EHT industries achieving >80% LF (from existing 10 paise/unit) directly benefits consumers by incentivizing higher utilization amid rising power purchase costs, improving sales mix equilibrium and maintaining CGP eligibility—far from abolition, this progressive structure supports industrial growth while ensuring cost recovery.

7. KVAH Billing to LT Consumers with CD>110 KVA

Response:

The Hon’ble Commission, has the sole prerogative on matters of Tariff determination and Tariff design.

The benefit of kVAh billing is to incentivize consumer who optimally maintains their power factor, so that: (a) transmission losses are reduced (b) improvement in system stability (c) better power quality and (d) improved voltage profile.

The kVAh billing system is prominent across country. Consumer who do not maintain optimal power factor shall always pay higher energy charges and consumer who maintain their optimal power factor will be always incentivized by way of lower energy charges.

8. T&D Loss

Response:

In this regard, it is submitted that TPCODL is taking utmost care to maintain the network spread over the vast area. Further, the loss figures presented by TPCODL for the previous years of operation are based on Audited figures.

However notwithstanding the above, it is submitted that the AT&C Loss value plays a role in estimating the Power Purchase Quantum. In this regard it is important to add that while working out the ARR and the tariff, the AT&C loss used in the Tariff Trajectory given in the Vesting order is applied and the loss achieved by TPCODL is not relevant for Tariff. Hence in other words, the actual AT&C loss does not play any role while determining the ARR. The Power Purchase Quantum for ARR is worked out through Grossing up of Sales by the Tariff Trajectory AT&C Loss.

9. No mention of billing month

24. That now in the consumer's bills, there is no mention of billing month, as it was in the previously. Now bills are being done some time for 45 days sometime 20 days like that in a month, which is wrong. The LT domestic and commercial consumers are suffering a lot for such irregular monthly billing which should be strictly for 30 days or (+/-) 3 days. Hence, proposals furnished by the Petitioner may not be accepted.

Response:

TPCODL strictly adheres to OERC Supply Code, Tariff Regulations 2022, and Electricity Act and other rules and regulations.

10. Reconnection Charges

That regarding reconnection charges, the Petitioner should intimate what is the actual expenditure towards reconnection. Such prayer is unjust, as virtually there is no expenditure as paid staffs of the Licensee are reconnecting the power supply which is within their service. Hence, reconnection charges for 1st April 2012 should be reintroduced.

Response:

Cost incurred by the petitioner on reconnection charges should not be socialized and it should be recovered from the specific consumer who has defaulted in payment of electricity bills. Further these charges has been revised by the Hon'ble Commission while issuing tariff order for FY 2025-26 which should continue till further revision.

11. Non-extension of Tariff Benefit to Allied Agriculture Activities and Allied Agro Industrial Activities Category

Response

Contention of the objector is not correct. TPCODL is extending due category benefit of Allied Agriculture Activities and Allied Agro Industrial Activities Category to all eligible consumer.

The objector is requested to bring the individual cases, if any, to the notice of the licensee for implementation of GRF/Ombudsman order

12. Regulation 138 (e) i.e. Power Supply to LI points in the urban area.

Response:

Classification of consumers has been made by Hon'ble Commission basing on their purpose of supply. The licensee categorizes the consumers strictly as per the provisions of Supply Code and raises bill to consumers as per the applicable tariff from time to time. However, the licensee has made a representation to OERC for consideration of case of LI consumer under urban area under "Irrigation Pumping and Agriculture" category.

13. The Hon'ble Commission may pass necessary regulation so as to reduce the surcharge and cross subsidies as per section 181 of the Electricity Act 2003.

Response:

The respected respondent may refer to para 156 of Tariff Order FY 2025-26. The computed cross subsidy surcharge for DISCOMs have been given in table -38. In view of the mandate of Electricity Act'2003 under section 42, the cross-subsidy surcharge is to be reduced progressively for which Hon'ble Commission fixed the CSS at 70% of the computed values. The computed values as given under table no-38 of RST order is reproduced hereunder:

Table – 38
Computed Surcharge for Open Access Consumer 1MW and above for FY 2025-26 (paise / unit)

Description	TPCODL	TPNODL	TPWODL	TPSODL
Surcharge for EHT Consumer	231.40	186.40	161.40	356.40
Surcharge for HT Consumer	106.23	3.45	28.18	170.58

However, the approved charges for FY 26 as given under table 39 are done at 70% of the computed values. The table no. 39 is reproduced hereunder:

Table – 39
Leviable Cross Subsidy Surcharge, Wheeling Charge and Transmission Charge for Open Access Consumer(s) of 1MW and above for FY 2025-26

Name of the licensee	Cross Subsidy Surcharge (P/U)		Wheeling Charge P/U applicable to HT Consumers only	Transmission Charges for Open Access Customer (applicable for HT & EHT Consumers)
	EHT	HT		
TPCODL	161.98	74.36	102.55	The Open Access customer availing Open Access shall pay Rs.6120/MW-day (Rs.255/MWh) as transmission charges.
TPNODL	130.48	2.41	156.41	
TPWODL	112.98	19.73	104.51	
TPSODL	249.48	119.41	174.06	

14. **15 MVA load through non-dedicated 33 KV line**

Response:

Allowing loads of 15MVA through non-dedicated 33KV line may over load the network, as it will require for accommodating 262Amp drawl for a single consumer. That will limit the scope of accommodating other loads in that feeder. That's why it is recommended to take such loads through dedicated feeder.

15. **Re-introduction of KWH billing**

> That the power factor incentive/ penalty and KWH billing should be reintroduced as before or KVAH charges should be less than KWH charges for HT consumers >110 KVA

Response:

After due deliberation Hon'ble Commission has introduced the KVAH billing. The respected respondents objection on this issue has been duly addressed by hon'ble Commission in para 86 of RST Order for 2023-24. KVAH billing was introduced to maintain power factor near to 100%, which is necessary for system stabilisation.

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Further, the benefit of kVAh billing is to incentivize consumer who optimally maintains their power factor, so that: (a) transmission losses are reduced (b) improvement in system stability (c) better power quality and (d) improved voltage profile.

The kVAh billing system is prominent across country. Consumer who do not maintain optimal power factor shall always pay higher energy charges and consumer who maintain their optimal power factor will be always incentivized by way of lower energy charges.

16. Reduction of load reduction period to 12 month in place of 36 month

Response:

As a substantial amount is spent in providing power supply to a consumer, any reduction of load within a short span makes the scheme unviable. Further, the licensee makes its demand projection, considering the contracted load of its consumers basing on which its power purchase cost and tariff is decided. Therefore, revision of load within a short span will deprive the licensee of the anticipated cross subsidy in case of subsidizing consumer along with shortfall in recovering the distribution cost.

17. Rebate to Steel Plants

Response:

Steel Industry having CGP are intentionally keeping less Contract demand as part of their demand are being met through CGP power. These consumers can easily attain the desired quantum of load factor. The very purpose of allowing rebate to steel industries will be deprived in case of Steel Industry having CGP.

18. Monopolistic Attitude

Response:

TPCODL conducts its business strictly as per prevailing ACT, Rules, Regulation and guidance of the Hon’ble Commission. The licensee is taking all steps to develop a customer centric environment. The steps taken by the licensee in its journey of transformation starting from 01.06.2020 have been elaborated in its application. In its endeavor to develop a reliable network with adoption of latest technologies, the licensee needs support and cooperation from all its stakeholders.

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The respected respondent is requested to bring the individual cases to the notice of the petitioner, if any deviation has been noticed, so that necessary steps can be taken by the petitioner. If the respondent has noticed any such deviation, the same may please be brought to the notice of the petitioner.

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9. Reply to Objections/ Suggestions raised by Shri Lalatendu Dikhit against Case No. 136/2025.

1. ***Impact on account of rooftop solar project should be taken into account***

Response:

It is submitted that, as per para 2.1.1 of the ARR Petition, the impact of rooftop solar projects (PM Suryaghar Muft Bijli Yojana including the ULA scheme) was conservatively excluded from LT sales estimates at the time of filing, considering the uncertainties in implementation. The rapidly increasing participation of vendors and consumers, as well as the large number of pending applications, shall be duly factored at the time of truing-up based on actual data for FY 2026-27, in accordance with the Tariff Regulations, 2022. This approach ensures an accurate assessment of the revenue gap without any premature overstatement of rooftop solar impact.

2. ***In Table 2-10, cost estimate of inherited outsourced employees, amount shown in Sl. No.-I, J are added in estimate but generally these amount are under Sl. No.-L. Because outsourcing agency are responsible for supervision charges, uniform, shoes.***

Response:

These components are chargeable components.

3. ***In CTC structure employee costs for FY 2025-26 and 2026-27 is estimated 146.00 Cr and 177.00 Cr. More clarity required on this proposal. So, department wise numbers of employee requirement should be given.***

Response:

CTC employee costs for FY25-26 (Rs. 146 Cr) and FY26-27 (Rs. 177.76 Cr) incorporate annual salary escalation of existing employees, partial FY25-26 impact from Commission-approved staggered recruitment, and full FY26-27 impact including 220 Operation/Distribution Technician Trainees + 70 officers—building on actual FY24-25 spend (Rs. 143.35 Cr), these reasonable projections address critical field gaps.

4. ***In Statutory and Compulsory Finance Related Charges, ₹9 Cr proposed against Legal and professional charges. As per point 70 it is clarified that TPCODL is also engaging the services of legal firms/lawyers to defend its cases. It is further added that TPCODL***

is in the business where adverse impact of any legal case outcome is ultimately borne by the consumer at large. Hence, in a way TPCODL is fighting the cases on behalf of the consumers. But really TPCODL fighting cases against Ombudsman/GRF orders. So all proposed amount against Legal should approve with proper verification whether the cases on behalf of the consumer or against the consumers

Response:

TPCODL is defending some of the pre-vesting period related legal matters which have high implications. Only genuine cases against Ombudsman/ GRF orders are legally taken up. Further from FY 2024-25 till FY 2025-26 (till dec'25) only 7 cases has been filed at the High Court and the same has admitted by the High Court and in most of the cases Stay has been granted. So the legal expenditures are very genuine and subject to prudence check by Hon'ble Commission.

5. ***In Table 2-32 total R&M cost for FY 2026-27 given ₹399 Cr. From ₹399 Cr, ₹13 Cr for Sr No 7 and 8, ₹12 Cr for Sr No 9 are proposed. But in reality FCC camp not working in two shifts in all rural areas because maximum fuse calls are attended after 12 to 24 hours (Reality can be verified by Hon'ble OERC). So these proposals are not implemented at field.***

Response:

In rural area FCCs are being operated in 2 Shifts as per the direction issued by the Hon'ble Commission during the Performance Review dated 12.07.2023

6. ***Non Traiff Income***

7: In Non tariff income Table 3-1 Estimated amount 98.59 Cr for 2025-26, and 101. 35 Cr for 2026-27. Which amounts are every less than actual. Intrest on Bank deposits are much more than given in table 3-1. Consumers 6%,100% scheme deposits, different govt funding project fund deposits. Securities deposited but not returned/ not adjusted after disconnection, vendors security money, are some heads from which non tariff income realised. So clear data about all account given for proper estimation.

8: Some Non Tariff income sources are not mentioned.

9: Estimates of this proposal are higher side.

Response:

TPCODL's ARR filing strictly adheres to OERC Distribution Tariff Regulations 2022, Electricity Act 2003, and all applicable rules and regulation.

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10. Reply to Objections/ Suggestions by Shri Ramesh Ch. Satpathy against Case No. 136/2025

1. ***The petitioner should produce the detail particulars as per OERC Tariff Regulations, 2022.***

2. That, the petitioner should produce the detail particulars as per OERC (Terms & Conditions and determination of wheeling tariff & Retail Supply Tariff) Regulation,2022.
   a) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2020-21 to 2025-26 approved on dated 8th Sep'2020 under Capital Investment Scheme and list of division wise original work under CAPEX.
   b) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2021-22 to 2025-26 approved on dated 18th Sep'2021 under Capital Investment Scheme and any other Govt funded scheme.
   c) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2022-23 to 2025-26 approved on dated 19th July'20212 under Capital Investment Scheme.
   d) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2021-22 to 2025-26 approved on dated 16th Dec'2022 under Capital Investment Scheme.
   e) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2025-26 approved on dated 21th June'2023 under Capital Investment Scheme.

Response:

Division wise details report of construction completed under capital investment of different Financial Year CAPEX.

FY 2020-21

Sl. No.	*Circle*	*Div.*	*Description*	*Scope of work*
1	BBSR-II	NYED	1 no's of 33kV existing feeder refurbishment/ Augmentation	***27Ckm***
2	BBSR-II	BAED	1 no's of 33kV existing feeder refurbishment/ Augmentation	***2Ckm***
3	Dhenkanal	TED	1 no's of 33kV existing feeder refurbishment/ Augmentation	***7Ckm***
4	Paradeep	KED-I	2 no's of new 33kV line under power evacuation from new GSS	***5Ckm***
5			DSS Refurbishment- in all 5 circles	***800no's***
6			Fencing- in all 5 circles	***1200no's***

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FY 2021-22

Sl. No.	*Circle*	*Div.*	*Description*	*Scope of work*
1	BBSR-I	BCDD-I	1 no's of 33kV existing feeder refurbishment/ Augmentation	***4Ckm***
2	BBSR-I	BCDD-II	1 no's of 33kV new line and 3 no's of 33kV interlinking lines	***11.7Ckm***
3	BBSR-I	BED	1 no's of 33kV new line and 1 no of 33kV interlinking line	***3Ckm***
4	BBSR-II	NYED	1 no of 33kV interlinking line	***10.5Ckm***
5	BBSR-II	BAED	1 no of 33kV existing line conductor Augmentation	***7.5Ckm***
6	Cuttack	AED	1 no of 33kV interlinking line	***1.7Ckm***
7	Cuttack	CDD-I	2 no's of new 33kV line under power evacuation from new GSS, 1no of 33kV feeder conductor augmentation and 1 no feeder interlinking line	***13.4Ckm***
8	Cuttack	CDD-II	1 no of 33kV interlinking line	***6.3Ckm***
9	Cuttack	CED	2 no of 33kV existing line conductor Augmentation	***15Ckm***
10	BBSR-I	BCDD-I	2 no's PTR Augmentation	19 MVA capacity addition
11	BBSR-I	BCDD-II	6 no's PTR Augmentation	49 MVA capacity addition
12	BBSR-I	BCDD-II	7 no of 11kV existing line conductor Augmentation	***8.3Ckm***
13	BBSR-I	BED	2 no of 11kV new/ interlinking line	***0.5Ckm***
14	Cuttack	CDD-I	3 no of 11kV existing line conductor Augmentation	***2.1Ckm***
15	Cuttack	CDD-II	5 no of 11kV new/ interlinking line	***9.7Ckm***
16	Cuttack	CED	2 no of 11kV new/ interlinking line and 5no's existing line conductor Augmentation	***75.8Ckm***
17			DSS Refurbishment- in all 5 circles	***230no's***
18			Fencing- in all 5 circles	***200no's***

FY 2022-23

Sl. No.	*Circle*	*Div.*	*Description*	*Scope of work*
1	BBSR-II	*BAED*	3 no's of 33kV existing feeder refurbishment/ Augmentation	12.4Ckm
2	BBSR-II	*KHD*	2 no's of new/interlinking 33kV line and 2 no's of 33kV existing feeder refurbishment/ Augmentation	14.23Ckm
3	Cuttack	CED	1 no of 33kV interlinking line	4Ckm
4	Cuttack	CDD-II	1 no 33KV existing feeder refurbishment	3.05Ckm
5	Cuttack	*SED*	1 no of 33kV interlinking line	0.4Ckm
6	Dhenkanal	*DED*	2 no of 33kV existing line conductor Augmentation	9.2Ckm
7	Dhenkanal	*TED*	2 no of 33kV existing line conductor Augmentation and 2no 33KV New line	23.4Ckm
8	Paradeep	*PDP*	1 no of 33kV existing line conductor Augmentation	6.58Ckm
9	BBSR-II	NYED	2 no of 11kV existing line conductor Augmentation	10Ckm
10	Cuttack	CDD-I	9nos 11KV Feeder refurbishment and 3nos Interlinking line	9.97Ckm
11	Cuttack	CDD-II	16nos 11KV Feeder refurbishment work	11.3Ckm
12	Cuttack	CED	6nos 11KV Feeder refurbishment work	14Ckm
13	Cuttack	AED	2nos 11KV Feeder refurbishment work	16Ckm
14	Dhenkanal	DED	13nos 11KV Feeder refurbishment work	32.85Ckm
15	Dhenkanal	ANED	6nos 11KV Feeder refurbishment work	12.5Ckm
16	Paradeep	JED	3nos 11KV Feeder refurbishment work	18Ckm
17	Paradeep	*KED-I*	5nos 11KV Feeder refurbishment work	14Ckm

Sl. No.	Circle	Div.	Description	Scope of work
18	Paradeep	PDP	4nos 11KV Feeder refurbishment work along with 1nos 11KV interlinking line	12.18Ckm
19	Cuttack	CDD-II	2 no's PTR Augmentation	9 MVA capacity addition
20	Dhenkanal	ANED	2 no's PTR Augmentation	6 MVA capacity addition
21	Dhenkanal	TED	1nos PTR Augmentation	1.5MVA Capacity addition
21	Paradeep	KED-I	1 no's PTR Augmentation	1.85 MVA capacity addition

FY 2022-23 (Supplementary Capex)

Sl. No.	Circle	Div.	Description	Scope of work
1	BBSR-I	BCDD-II	1 no's of new 33kV line under power evacuation from new GSS, 1 no's of 33kV existing feeder refurbishment/ Augmentation	36.9Ckm
2	BBSR-I	BED	5 no's of new 33kV line under power evacuation from new GSS and 2 no's of 33kV existing feeder refurbishment/ Augmentation	25.3Ckm
3	BBSR-I	BCDD-II	7 no of 11kV new/ interlinking line and 10no's existing line refurbishment/ augmentation	80.39Ckm
4	BBSR-I	BED	6 no of 11kV new/ interlinking line and 2no's existing line refurbishment/ augmentation	21.95Ckm
5	Cuttack	CDD-II	1 no of 11kV new/ interlinking line	3.85Ckm
6	Cuttack	CED	1no existing line refurbishment/ augmentation	7.3Ckm
7	BBSR-I	BCDD-II	1nos PTR Augmentation	12.5MVA Capacity Addition

Sl. No.	Circle	Div.	Description	Scope of work
8	BBSR-I	BED	2nos PTR Augmentation	25MVA Capacity Addition
9	BBSR-II	PED	1nos PTR Augmentation	4.5MVA Capacity Addition
10	Dhenkanal	DED	1nos PTR Augmentation	4.5MVA Capacity Addition

FY 2023-24

Sl. No.	Circle	Division	Description	Scope of Work
1	BBSR-1	NED	1no. 33kV existing line refurbishment/ augmentation	26km
2	BBSR-II	BAED	1no. 33kV existing line refurbishment/ augmentation	5.5km
3	Cuttack	AED	3nos. 33kV existing line refurbishment/ augmentation	20.5km
4	Cuttack	CED	4nos. 33kV existing line refurbishment/ augmentation	23.8km
5	Dhenkanal	ANED	1 no of 33kV interlinking line and 2no's existing line refurbishment/ augmentation	12.075km
6	Paradeep	JED	1no. 33kV existing line refurbishment/ augmentation	3.35km
7	Paradeep	KED-1	1 no of 33kV interlinking line	0.1km
8	Paradeep	PDP	1 no of 33kV interlinking line and 1no existing line refurbishment/ augmentation	19km
9	BBSR-I	BCDD-2	3 no's PTR Augmentation	24.5MVA Capacity Addition
10	BBSR-I	BED	2 no's PTR Augmentation	16MVA Capacity Addition
11	BBSR-II	PED	2 no's PTR Augmentation	16MVA Capacity Addition
12	Cuttack	CDD-1	1 no's PTR Augmentation	8MVA Capacity Addition

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Sl. No.	Circle	Division	Description	Scope of Work
13	Cuttack	CDD-2	1 no’s PTR Augmentation	8MVA Capacity Addition
14	Dhenkanal	ANED	1 no’s PTR Augmentation	8MVA Capacity Addition
15	BBSR-I	BCDD-1	2 no's of 11kV new/ interlinking line and 1no’s existing line conductor Augmentation	5.85km
16	BBSR-I	BCDD-2	2no's of 11kV existing line conductor Augmentation	0.21km
17	BBSR-I	BED	3 no's of 11kV new/ interlinking line and 1no’s existing line conductor Augmentation	3.5km
18	BBSR-I	NED	1 no's of 11kV new/ interlinking line and 2no’s existing line conductor Augmentation	44.47km
19	BBSR-II	BAED	1 no's of 11kV new/ interlinking line and 3no’s existing line conductor Augmentation	16.5km
20	BBSR-II	KHD	4 no's of 11kV new/ interlinking line	11km
21	BBSR-2	PED	2no’s existing line conductor Augmentation	6.1km
22	Cuttack	AED	2no’s existing line conductor Augmentation	16km
23	Cuttack	CDD-1	2no’s existing line conductor Augmentation	3.7km
24	Cuttack	CDD-2	1 no's of 11kV new line	1.5km
25	Cuttack	CED	1no’s existing line conductor Augmentation	8km
26	Dhenkanal	ANED	1no’s existing line conductor Augmentation	0.5km
27	Dhenkanal	DED	1no’s existing line conductor Augmentation	2km
28	Paradeep	KED-2	2no’s existing line conductor Augmentation	8km

FY- 2024-25

SL. No.	Circle	Division	Description	Scope of Work
1	BBSR-I	BCDD-I	1Nos 11kV existing line refurbishment/ augmentation	0.35 CKM
2	BBSR-I	BCDD-II	22Nos 11kV existing line refurbishment/ augmentation	63.4 CKM
3	BBSR-I	BCDD-II	2Nos 33kV existing line refurbishment/ augmentation	2 CKM
4	BBSR-I	BCDD-II	2Nos PTR Augmentation	25MVA Capacity addition

5	BBSR-I	BED	12Nos 11kV existing line refurbishment/ augmentation	23.4 CKM
6	BBSR-I	BED	3Nos 33kV existing line refurbishment/ augmentation	21.3 CKM
7	BBSR-I	BED	4Nos PTR Augmentation	71MVA Capacity addition
8	BBSR-I	NED	5Nos 11kV existing line refurbishment/ augmentation	37.5 CKM
9	BBSR-I	NED	1Nos 33kV existing line refurbishment/ augmentation	7 CKM
10	BBSR-II	BAED	1Nos 11kV existing line refurbishment/ augmentation	5 CKM
11	BBSR-II	KHD	4Nos 11kV existing line refurbishment/ augmentation	7.5 CKM
12	BBSR-II	KHD	1Nos PTR Augmentation	8MVA Capacity addition
13	BBSR-II	NYED	1Nos 11kV existing line refurbishment/ augmentation	1 CKM
14	BBSR-II	NYED	1Nos 33kV existing line refurbishment/ augmentation	5 CKM
15	BBSR-II	PED	10Nos 11kV existing line refurbishment/ augmentation	18.8 CKM
16	BBSR-II	PED	2Nos 33kV existing line refurbishment/ augmentation	9 CKM
17	Cuttack	AED	1Nos 11kV existing line refurbishment/ augmentation	2 CKM
18	Cuttack	AED	1Nos 33kV existing line refurbishment/ augmentation	4 CKM
19	Cuttack	CDD-I	2Nos 11kV existing line refurbishment/ augmentation	5 CKM
20	Cuttack	CDD-I	1Nos PTR Augmentation	12.5MVA Capacity addition
21	Cuttack	CDD-II	4Nos 11kV existing line refurbishment/ augmentation	12.25 CKM
22	Cuttack	CDD-II	1Nos 33kV existing line refurbishment/ augmentation	15 CKM
23	Cuttack	CDD-II	1Nos PTR Augmentation	8MVA Capacity addition

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24	Cuttack	CED	1Nos 33kV existing line refurbishment/ augmentation	3 CKM
25	Cuttack	CED	1Nos PTR Augmentation	8MVA Capacity addition
26	Dhenkanal	ANED	4Nos 11kV existing line refurbishment/ augmentation	10.8 CKM
27	Dhenkanal	DED	3Nos 11kV existing line refurbishment/ augmentation	9.5 CKM
28	Dhenkanal	DED	1Nos 33kV existing line refurbishment/ augmentation	8 CKM
29	Dhenkanal	TED	2Nos 11kV existing line refurbishment/ augmentation	5.4 CKM
30	Dhenkanal	TED	1Nos 33kV existing line refurbishment/ augmentation	3.5 CKM
31	Paradeep	KED-I	3Nos 11kV existing line refurbishment/ augmentation	15.5 CKM
32	Paradeep	KED-I	2Nos 33kV existing line refurbishment/ augmentation	28 CKM
33	Paradeep	PDP	1Nos 11kV existing line refurbishment/ augmentation	10.5 CKM

2. ***The petitioner should submit the detail particulars of 33/11 kV sub-station under ODSSP scheme & demand of the area. If the demands are more or less, what action is TPCODL taking.***

3. That, the petitioner should submit the detail report of 33/11 KV sub-station under ODSSP scheme having no demands of the area. If the demands are more, what steps the licensee has taken. If the demands are less, what steps the licensee has taken. It has come to our notice; most of the 33/11 KV S/s are not up to the standard for which ATC loss is increasing day by day. If it is a fact, what action TPCODL has taken.

Response:

Total 134 nos. of new 33/11kV PSS with associated 33kV and 11kV linking lines were proposed in different ODSSP schemes under Ph-I, II& III. However, 132 Nos. PSS have been charged. Remaining 3 nos PSS are in process of HOTO on "as is where is" basis as recommended by IRP.

After joint site visit and HOTO formalities, estimate for completion of these 3nos. PSS will be raised to OPTCL and balance work will be accordingly completed after receipt of funds.

All these 134 no's PSS proposals were planned during erstwhile CESU period, however TPCODL is working towards optimizing these as per plan for reliable and quality power supply to consumers by mitigating low voltage issue, overloading issue and through length reduction of existing network and reducing AT&C losses.

And 18 nos. of new 33/11 KV PSS with associated 33kV and 11kV linking lines were proposed in different ODSSP schemes under Ph-IV & CMPDP. However, 5 nos. PSS have been charged**.**

Considering present and forecasted load with load growth, TPCODL has planned utilization of these PSS and identified actions as mentioned below:

a) New 11kV linking lines with existing 11kV feeders.
b) New 11kV feeders to bifurcate load and length of existing feeders.
c) Provision of AB Switches and RMU's for shifting of existing feeders load with smooth switching.
d) Proposal for load transfer or PTR augmentation in case of overloading of PTRs.

3. ***That, the petitioner should produce the actual manpower of Executive, Non-executive of erstwhile CESU and also TPCODL own regular cadre under different division.***

Response:

TPCODL has already submitted the actual manpower details to the Hon'ble Commission.

4. ***Division List of BA's and their Minimum wages***

5. That, the petitioner should submit division wise list of Business Associates (BAs) functioning under TPCODL & the list of workers working under said BAs should be produced before the hearing of the case. It has come to our notice, all the BAs under your control working for TPCODL are not

paying minimum wages as per Govt of Odisha Labour & ESI Department notification dated 10th March'2021. The Customer Care Executives, meter readers & bill collectors are now getting the salary as Semi skilled workers, which is clear cut violation of the above notification. They should be pay their wages from 01/06/2020. That should be enquired by the TPCODL & direct the BAs to pay minimum wages from the date of notification to all the workers of BAs.

Response:

TPCODL submits that all the Business Associates are paying minimum wages to the workforce engaged by them. There are enough checks and balances in the system are there to ensure that minimum wages and other statutory entitlement are paid to their workforce.

5. ***TPCODL to produce list of consumers those have availed benefit under PM Surya Ghar Muft Bijli Yojana***

Response:

TPCODL has enrolled 12242 number of installations in PM Surya Ghar Muft Bijli Yojana program. The list is mentioned as below as on 19.01.2026:

S.No.	District name	Installations
1	Anugul	596
2	Cuttack	2651
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4	Jagatsinghapur	804
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6	Kendrapara	340
7	Khordha	5723
8	Nayagarh	562
9	Puri	762
	Total	12242

6. ***TPCODL to produce list of consumers those have availed benefit under PM Surya Ghar Muft Bijli Yojana through community solar scheme.***

Response:

There are no consumers as of now who are availing benefit under this scheme.

7. ***TPCODL has to produce how many smart meters licensee have provided to the consumers. Whether all Govt Offices has been already been metered through prepaid meter.***

Response:

TPCODL has provided 6.7 Lakhs smart meter to consumers as on 31.12.2025. Further all Govt. Offices are having electricity connection through meter.

8. ***TPCODL has to produce the total consumer as on Dec'25 have provided meter or not.***

Response:

It is submitted that all consumers under the distribution area of TPCODL are metered. Except for multiple streetlight points where technically not possible to install meter, they are billed on basis of LDHF Billing as per the methodology prescribed by the Hon'ble Commission

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11. Reply to Objections/ Suggestions raised by Shri. Prasana Kumar Bisoi against Case No. 136/2025

1. The petitioner should produce the detail particulars as per OERC Tariff Regulations, 2022.

2. That, the petitioner should produce the detail particulars as per OERC (Terms & Conditions and determination of wheeling tariff & Retail Supply Tariff) Regulation,2022.
   a) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2020-21 to 2025-26 approved on dated 8th Sep'2020 under Capital Investment Scheme and list of division wise original work under CAPEX.
   b) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2021-22 to 2025-26 approved on dated 18th Sep'2021 under Capital Investment Scheme and any other Govt funded scheme.
   c) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2022-23 to 2025-26 approved on dated 19th July'20212 under Capital Investment Scheme.
   d) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2021-22 to 2025-26 approved on dated 16th Dec'2022 under Capital Investment Scheme.
   e) Division wise detail report on construction, maintenance & renovation of lines & S/s are constructed / renovated for the FY 2025-26 approved on dated 21th June'2023 under Capital Investment Scheme.

Response:

Division wise details report of construction completed under capital investment of different Financial Year CAPEX

FY 2020-21

Sl. No.	*Circle*	*Div.*	*Description*	*Scope of work*
1	BBSR-II	NYED	1 no's of 33kV existing feeder refurbishment/ Augmentation	*27Ckm*
2	BBSR-II	BAED	1 no's of 33kV existing feeder refurbishment/ Augmentation	*2Ckm*
3	Dhenkanal	TED	1 no's of 33kV existing feeder refurbishment/ Augmentation	*7Ckm*
4	Paradeep	KED-I	2 no's of new 33kV line under power evacuation from new GSS	*5Ckm*
5			DSS Refurbishment- in all 5 circles	*800no's*
6			Fencing- in all 5 circles	*1200no's*

__FY 2021-22__

Sl. No.	***Circle***	***Div.***	***Description***	***Scope of work***
1	BBSR-I	BCDD-I	1 no's of 33kV existing feeder refurbishment/ Augmentation	***4Ckm***
2	BBSR-I	BCDD-II	1 no's of 33kV new line and 3 no's of 33kV interlinking lines	***11.7Ckm***
3	BBSR-I	BED	1 no's of 33kV new line and 1 no of 33kV interlinking line	***3Ckm***
4	BBSR-II	NYED	1 no of 33kV interlinking line	***10.5Ckm***
5	BBSR-II	BAED	1 no of 33kV existing line conductor Augmentation	***7.5Ckm***
6	Cuttack	AED	1 no of 33kV interlinking line	***1.7Ckm***
7	Cuttack	CDD-I	2 no's of new 33kV line under power evacuation from new GSS, 1no of 33kV feeder conductor augmentation and 1 no feeder interlinking line	***13.4Ckm***
8	Cuttack	CDD-II	1 no of 33kV interlinking line	***6.3Ckm***
9	Cuttack	CED	2 no of 33kV existing line conductor Augmentation	***15Ckm***
10	BBSR-I	BCDD-I	2 no's PTR Augmentation	19 MVA capacity addition
11	BBSR-I	BCDD-II	6 no's PTR Augmentation	49 MVA capacity addition
12	BBSR-I	BCDD-II	7 no of 11kV existing line conductor Augmentation	***8.3Ckm***
13	BBSR-I	BED	2 no of 11kV new/ interlinking line	***0.5Ckm***
14	Cuttack	CDD-I	3 no of 11kV existing line conductor Augmentation	***2.1Ckm***
15	Cuttack	CDD-II	5 no of 11kV new/ interlinking line	***9.7Ckm***
16	Cuttack	CED	2 no of 11kV new/ interlinking line and 5no's existing line conductor Augmentation	***75.8Ckm***
17			DSS Refurbishment- in all 5 circles	***230no's***
18			Fencing- in all 5 circles	***200no's***

FY 2022-23

Sl. No.	***Circle***	***Div.***	***Description***	***Scope of work***
1	BBSR-II	*BAED*	3 no's of 33kV existing feeder refurbishment/ Augmentation	12.4Ckm
2	BBSR-II	*KHD*	2 no's of new/interlinking 33kV line and 2 no's of 33kV existing feeder refurbishment/ Augmentation	14.23Ckm
3	Cuttack	CED	1 no of 33kV interlinking line	4Ckm
4	Cuttack	CDD-II	1 no 33KV existing feeder refurbishment	3.05Ckm
5	Cuttack	*SED*	1 no of 33kV interlinking line	0.4Ckm
6	Dhenkanal	*DED*	2 no of 33kV existing line conductor Augmentation	9.2Ckm
7	Dhenkanal	*TED*	2 no of 33kV existing line conductor Augmentation and 2no 33KV New line	23.4Ckm
8	Paradeep	*PDP*	1 no of 33kV existing line conductor Augmentation	6.58Ckm
9	BBSR-II	NYED	2 no of 11kV existing line conductor Augmentation	10Ckm
10	Cuttack	CDD-I	9nos 11KV Feeder refurbishment and 3nos Interlinking line	9.97Ckm
11	Cuttack	CDD-II	16nos 11KV Feeder refurbishment work	11.3Ckm
12	Cuttack	CED	6nos 11KV Feeder refurbishment work	14Ckm
13	Cuttack	AED	2nos 11KV Feeder refurbishment work	16Ckm
14	Dhenkanal	DED	13nos 11KV Feeder refurbishment work	32.85Ckm
15	Dhenkanal	ANED	6nos 11KV Feeder refurbishment work	12.5Ckm
16	Paradeep	JED	3nos 11KV Feeder refurbishment work	18Ckm
17	Paradeep	*KED-I*	5nos 11KV Feeder refurbishment work	14Ckm
18	Paradeep	*PDP*	4nos 11KV Feeder refurbishment work along with 1nos 11KV interlinking line	12.18Ckm

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Sl. No.	Circle	Div.	Description	Scope of work
19	Cuttack	CDD-II	2 no's PTR Augmentation	9 MVA capacity addition
20	Dhenkanal	*ANED*	2 no's PTR Augmentation	6 MVA capacity addition
21	Dhenkanal	*TED*	1nos PTR Augmentation	1.5MVA Capacity addition
21	Paradeep	*KED-I*	1 no's PTR Augmentation	1.85 MVA capacity addition

FY 2022-23 (Supplementary Capex)

Sl. No.	Circle	Div.	Description	Scope of work
1	BBSR-I	BCDD-II	1 no's of new 33kV line under power evacuation from new GSS, 1 no's of 33kV existing feeder refurbishment/ Augmentation	36.9Ckm
2	BBSR-I	*BED*	5 no's of new 33kV line under power evacuation from new GSS and 2 no's of 33kV existing feeder refurbishment/ Augmentation	25.3Ckm
3	BBSR-I	BCDD-II	7 no of 11kV new/ interlinking line and 10no's existing line refurbishment/ augmentation	80.39Ckm
4	BBSR-I	*BED*	6 no of 11kV new/ interlinking line and 2no's existing line refurbishment/ augmentation	21.95Ckm
5	Cuttack	CDD-II	1 no of 11kV new/ interlinking line	3.85Ckm
6	Cuttack	CED	1no existing line refurbishment/ augmentation	7.3Ckm
7	BBSR-I	BCDD-II	1nos PTR Augmentation	12.5MVA Capacity Addition
8	BBSR-I	BED	2nos PTR Augmentation	25MVA Capacity Addition
9	BBSR-II	PED	1nos PTR Augmentation	4.5MVA Capacity Addition
10	Dhenkanal	DED	1nos PTR Augmentation	4.5MVA Capacity Addition

FY 2023-24

Sl. No.	*Circle*	*Division*	*Description*	*Scope of Work*
1	BBSR-1	NED	1no. 33kV existing line refurbishment/ augmentation	26km
2	BBSR-II	BAED	1no. 33kV existing line refurbishment/ augmentation	5.5km
3	Cuttack	AED	3nos. 33kV existing line refurbishment/ augmentation	20.5km
4	Cuttack	CED	4nos. 33kV existing line refurbishment/ augmentation	23.8km
5	Dhenkanal	ANED	1 no of 33kV interlinking line and 2no's existing line refurbishment/ augmentation	12.075km
6	Paradeep	JED	1no. 33kV existing line refurbishment/ augmentation	3.35km
7	Paradeep	KED-1	1 no of 33kV interlinking line	0.1km
8	Paradeep	PDP	1 no of 33kV interlinking line and 1no existing line refurbishment/ augmentation	19km
9	BBSR-I	BCDD-2	3 no's PTR Augmentation	24.5MVA Capacity Addition
10	BBSR-I	BED	2 no's PTR Augmentation	16MVA Capacity Addition
11	BBSR-II	PED	2 no's PTR Augmentation	16MVA Capacity Addition
12	Cuttack	CDD-1	1 no's PTR Augmentation	8MVA Capacity Addition
13	Cuttack	CDD-2	1 no's PTR Augmentation	8MVA Capacity Addition
14	Dhenkanal	ANED	1 no's PTR Augmentation	8MVA Capacity Addition
15	BBSR-I	BCDD-1	2 no's of 11kV new/ interlinking line and 1no's existing line conductor Augmentation	5.85km
16	BBSR-I	BCDD-2	2no's of 11kV existing line conductor Augmentation	0.21km
17	BBSR-I	BED	3 no's of 11kV new/ interlinking line and 1no's existing line conductor Augmentation	3.5km
18	BBSR-I	NED	1 no's of 11kV new/ interlinking line and 2no's existing line conductor Augmentation	44.47km
19	BBSR-II	BAED	1 no's of 11kV new/ interlinking line and 3no's existing line conductor Augmentation	16.5km
20	BBSR-II	KHD	4 no's of 11kV new/ interlinking line	11km
21	BBSR-2	PED	2no's existing line conductor Augmentation	6.1km

Sl. No.	Circle	Division	Description	Scope of Work
22	Cuttack	AED	2no’s existing line conductor Augmentation	16km
23	Cuttack	CDD-1	2no’s existing line conductor Augmentation	3.7km
24	Cuttack	CDD-2	1 no's of 11kV new line	1.5km
25	Cuttack	CED	1no’s existing line conductor Augmentation	8km
26	Dhenkanal	ANED	1no’s existing line conductor Augmentation	0.5km
27	Dhenkanal	DED	1no’s existing line conductor Augmentation	2km
28	Paradeep	KED-2	2no’s existing line conductor Augmentation	8km

FY 2024-25

SL. No.	Circle	Division	Description	Scope of Work
1	BBSR-I	BCDD-I	1Nos 11kV existing line refurbishment/ augmentation	0.35 CKM
2	BBSR-I	BCDD-II	22Nos 11kV existing line refurbishment/ augmentation	63.4 CKM
3	BBSR-I	BCDD-II	2Nos 33kV existing line refurbishment/ augmentation	2 CKM
4	BBSR-I	BCDD-II	2Nos PTR Augmentation	25MVA Capacity addition
5	BBSR-I	BED	12Nos 11kV existing line refurbishment/ augmentation	23.4 CKM
6	BBSR-I	BED	3Nos 33kV existing line refurbishment/ augmentation	21.3 CKM
7	BBSR-I	BED	4Nos PTR Augmentation	71MVA Capacity addition
8	BBSR-I	NED	5Nos 11kV existing line refurbishment/ augmentation	37.5 CKM
9	BBSR-I	NED	1Nos 33kV existing line refurbishment/ augmentation	7 CKM
10	BBSR-II	BAED	1Nos 11kV existing line refurbishment/ augmentation	5 CKM
11	BBSR-II	KHD	4Nos 11kV existing line refurbishment/ augmentation	7.5 CKM
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22	Cuttack	CDD-II	1Nos 33kV existing line refurbishment/ augmentation	15 CKM
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24	Cuttack	CED	1Nos 33kV existing line refurbishment/ augmentation	3 CKM
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And 18 nos. of new 33/11 KV PSS with associated 33kV and 11kV linking lines were proposed in different ODSSP schemes under Ph-IV & CMPDP. However, 5 nos. PSS have been charged**.**

Considering present and forecasted load with load growth, TPCODL has planned utilization of these PSS and identified actions as mentioned below:

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Response:

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Response:

There are no consumers as of now who are availing benefit under this scheme.

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12. Reply to Objections/ Suggestions by Shri Manoranjan Routray against Case No. 136/2025

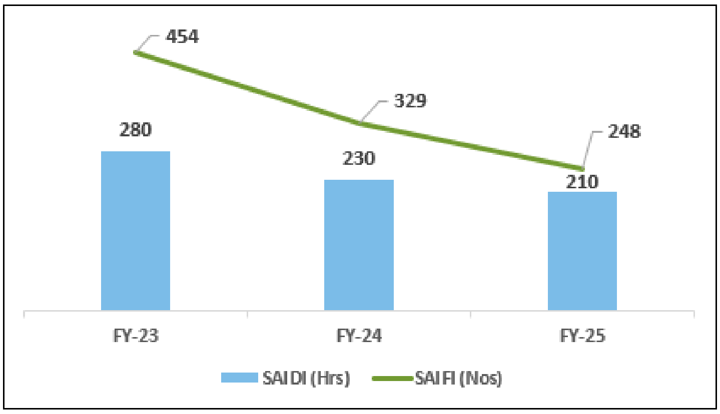
1. *Employee Expenditure, R&M Expenditure and A&G Expenditure*

1) The ARR of all discoms proposes an exuberant in expenditure in employees' cost, Repair & maintenance cost and A&G expenditure which is double then the last year approved expenditure. Further power outrages have gone up after TATA power taken over the company. If the gap proposed by the all Discoms is allowed it will increase the cost of unit by Rs 1.00 per unit. The meter reading and billing cost per consumer per month comes to around Rs 45 which is very high and needs a prudent check.

Response:

Every expenditure is supported with detailed backup calculation and proper justification, which will be reviewed by Hon'ble commission as per Regulatory principles before being allowed in the tariff order.

Allegation of the Objector regarding increase in power outage during TATA Power tenure is also not correct. Rather power outage during TATA Power tenure is reduced substantially and also decreasing year by year. This can be observed from the SAIDI (System Average Interruption Duration Index) and SAIFI (System Average Interruption Frequency Index) are given in below table.



The above tables clearly show that the interruption in power is reducing gradually year by year thus increasing the power availability.

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Through investments and operational enhancements over the last five years, TPCODL has demonstrated a steady improvement in key reliability indices – SAIFI & SAIDI, indicating measurable progress in outage management, preventive maintenance, and overall network strengthening.

As per the report of Consumer Service Rating of DISCOM (CSRD) published by Ministry of Power, Govt. of India for FY 23-24, the Hours of Supply (HoS) reflects the average number of hours electricity is supplied to customers each day. There has been a significant improvement in TPCODL service area with almost 99% availability in Urban areas and 94% in Rural Areas:

No.	Particular	TPCODL	National Average	National Max	National Min
1	Hours of Supply - Urban	23.70	23.53	24.00	21.44
2	Hours of Supply - Rural	22.58	21.57	23.92	15.33
3.	DT Failure Rate	2.90%	6.4%	51%	0%

2. ***The present rate of interest on fixed deposits are around 6% but the consumer is charged 18% for non-payment of bills.***

Response:

DPS, Interest on Security Deposits and rebate are being allowed as per the prevailing regulations.

3. ***Disconnection of Power Supply***

3) In addition to above DISCOMS are disconnecting the power supply without proper notice the same should be stopped immediately. The consumers with smart meters are disconnected without proper notice violating OERC directives.

Response:

Disconnection is being done as per the regulations.

4. ***Financial Benefit from CAPEX***

4) The Discoms must give detail financial benefits derived from the Capex plan on account of loss reduction and its impact on tariff. The interest impact of such unchecked capex plan around 700 cr. This needs a attention immediately

Response:

The detailed capex plan along with Detailed Project Report are furnished before the Hon'ble Commission each year as per provision of Vesting Order of licensee and OERC (Terms and Condition for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022. Accordingly, Hon'ble Commission hears it in Public Hearing and issues the order by way of analyzing the inputs from all stakeholders.

Benefits derived from the Capex Plan has been provided for all proposal in our Capex Plan FY-27 petition. Following are the benefits accrued to the consumer out of the capex undertaken in past period.

Table 1: Impact of CAPEX on Operational Performance

Sl. No	Parameters	UoM	At Takeover	FY25
1	Sales	Mus	6271	9692
2	Revenue	Rs. Cr	3060	5891
3	Consumer Count	lakhs	26.93	33.25
4	Consumer Load	MW	5328	7252
5	Peak Load	MW	1590	2234
6	AT&C Loss	%	30.4	18.9
7	HT Technical Loss	%	8.4	6.4
8	33kV Ring Connectivity	%	36	71
9	11kV Ring Connectivity	%	30	44
10	Overloaded 33kV Feeders	Nos.	19	Nil
11	Overloaded 11kV Feeders	Nos.	62	Nil
12	33kV Feeders	Nos.	182	262
13	33kV Line	Ckm	3845	4265
14	11kV Feeders	Nos.	974	1377
15	PSS	Nos.	232	374
16	STS Capacity	MVA	3869	5479
17	DTR Capacity	MVA	4832	5406
18	LT AB Cable	Ckm	32511	37673
19	SCADA integrated PSS	Nos.	0	250
20	33kV Feeder>30 Ckt. Km	Nos.	54	45
21	11kV Feeder>50 Ckt. Km	Nos.	191	99
22	DTR Failure Rate	%	8	2.7
23	SAIDI (Interruption)	Hrs	291(FY21)	146
24	SAIFI (Interruption)	Nos.	416 (FY21)	225

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Because of this capital investment, the operational efficiency of TPCODL increased significantly helping in better cash flow, lead to timely payment to GRIDCO, OPTCL, Loan repayments and salary, wages and vendor payments.

5. ***The Interest on security deposit may be increased.***

The Interest on security deposit may be increased 7% as is too low and company is enjoying 7.5% interest on the security deposit lying with company.

Response:

The interest on security deposit is allowed by Hon'ble Commission under the provision of OERC Distribution (Conditions of Supply) Code, 2019. Interest earn on Fixed Deposit of security Deposit are being passed on to the Consumer under NTI in ARR. Hence the allegation that the company is enjoying 7.5% interest is incorrect.

6. ***The Consumers may be given instalment facility at least 3 to deposit security deposit to restart the industry.***

Response:

As per the current regulatory framework this facility is not available.

7. ***Unlike domestic and commercial consumers other consumers may be provided with suitable digital rebate.***

Response:

The following rebates are also being extended to the consumers of Odisha:

1. **Prompt Payment Rebate:**

   a) A rebate of **10 paise/unit** shall be allowed on Energy Charges if the payment of the bill (excluding all arrears) is made by the due date indicated in the bill in respect of the following categories of Consumers.

LT: Domestic, General purpose <110 KVA, Irrigation Pumping and Agriculture, Allied Agricultural Activities and LT Industrial (S), Public Water Works and Sewerage Pumping.

HT: Bulk supply Domestic, Irrigation Pumping and Agriculture, Allied Agricultural Activities, General purpose >70 & <110 KVA, Public Water Works and Sewerage Pumping.

b) Consumers other than those mentioned at Para 'a' above shall be entitled to a rebate of **1% (one percent) of the amount of the monthly bill** (excluding all arrears), if payment is made within 3 working days of presentation of the bill.

2. **Hostels attached to the Schools recognised and run by SC/ST Department, Government of Odisha** shall get a **rebate of Rs.2.40 per unit in Energy Charge under Specified Public Purpose category (LT / HT)** which shall be over and above the normal rebate for which they are eligible.

3. **All Swajala Dhara Consumers under Public Water Works and Sewerage Pumping Installation category** shall get **special rebate @10% on the energy consumption** over and above normal rebate, if electricity bills are paid within due date.

4. **The rural LT domestic** Consumers who draw their power through **correct meter and pay the bill in time** shall get **rebate of 10 paise per unit** over and above other existing rebate for prompt payment.

5. **4% rebate** shall be allowed on the bill to **the LT domestic and single-phase General Purpose (GP) category of Consumers** only over and above all other rebates, **if such Consumer pays the entire amount of the bill through digital mode on or before due date**. Such Consumers who pays the entire bill on or before the due date at any other outlet like Jan Seva Kendra, OCAC etc. are eligible for this rebate.

6. All the Consumers opting to avail **e-bill will get discount of Rs. 10.00 per bill**. This rebate will be in addition to all other rebates the Consumer is otherwise eligible.

7. LT Industrial (S) and LT Industrial (M) Supply Consumers shall avail a **rebate of 10 paisa per unit for all the units consumed**, if their monthly operating load factor is **more than 40% and Bill is paid within due date**.

8. **4% rebate** shall be allowed to all **pre-paid Consumers on pre-paid amount**.

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9. A **Special rebate to the LT single** phase Consumers in addition to any other rebate, he is otherwise eligible, shall be allowed at the end of the financial year (the bill for the month of March), if he has **paid the bill for all the 12 months of the financial year consistently without fail within due date during the relevant financial year.** The amount of rebate shall be equal to the rebate of the month of March for timely payment of bill.

10. The Educational Institution (**Specified Public Purpose category Consumers**) including **attached hostel and / or residential colony**, who draw power through a **single HT meter**, shall be eligible to be billed at the **rate of 15% of their energy drawal under HT bulk supply domestic category**.

11. The **Mega Lift Consumers** (who are using electricity for irrigation purpose and not covered under irrigation pumping and agriculture category of the Regulation) connected either to HT or EHT system shall be treated as GP Consumers and **shall not pay any demand charges and shall get an additional rebate of Rs.2 per unit (kVAh) on the respective Energy Charges.**

12. **ToD Rebate:** All the Consumers provided with **Smart Meters/ AMR Compliant meters having CD > 10 KW,** except Irrigation, Pumping & Agricultural Consumers, are eligible to get a **ToD rebate of 20 paise/unit on Energy Charge during Solar Hours**.

8. The Company has planned to install meter why the poor consumers of ODISHA will bear the capital cost or meter rent. The cost must be bear by the GOVT or the company from own profits.

Response:

In power distribution business which is highly regulated cost has to be borne by the consumer. To reduce the financial burden on low-end consumer the Govt of Odisha has already provided a one-time support of Rs. 735 Cr.

9. There should be no tariff hike.

Response:

Tariff Determination and Tariff Design is the sole prerogative of the Hon'ble Commission. We Humbly submit to the Hon'ble Commission that the tariff should be cost reflective as per the direction of the Hon'ble Supreme Court and provision under Rule No. 23 of the Electricity Rule, 2005.

10. Charges

12) The non-tariff income such as rebate to the consumer, Supervision charges, over drawl penalty & DPS should be passed on the consumer in

Response:

These are being offered as a part of NTI.

11. Revenue Gap

13) The current year revenue gap proposed by licence has to be examined. The income tax and tax on equity has not separately shown in the proposed gap. So, the surplus will be more than proposed. The profit as per P/c has to be examined with proposed tariff.

In this regard, the Licensee respectfully submits that the revenue gap proposed for FY 2026-27 has been computed strictly in accordance with the OERC Tariff Regulations, 2022

The income tax and RoE both are shown separately in the ARR application for FY 2026-27. Objector may please be referred to Format F-6 of ARR application for details.

12. DPS to domestic and GP Consumers

15) We do not agree with levy of DPS to domestic and GP consumers as proposed by all the licensee as all know the reason of withdrawal of the same. We feel that poor consumers should not be burden with levy of DPS.

Response:

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The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

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13. Reply to Objections/ Suggestions by M/s. Jindal Steel Limited, Angul against Case No. 136/2025

1. Unprecedented increase in Tariff applicable for EHT and HT Load due to introduction of kVAh billing.

Response:

The Hon'ble Commission, has the sole prerogative on matters of Tariff determination and Tariff design.

The benefit of kVAh billing is to incentivize consumer who optimally maintains their power factor, so that: (a) transmission losses are reduced (b) improvement in system stability (c) better power quality and (d) improved voltage profile.

The kVAh billing system is prominent across country. Consumer who do not maintain optimal power factor shall always pay higher energy charges and consumer who maintain their optimal power factor will be always incentivized by way of lower energy charges.

2. Need for Consumer Category Provision for Mega Steel Plant

Response:

Issues raised by the respected respondent is related to classification of consumer which is a supply code issue and does not come under the current tariff proceeding.

Our submission is that tariff must be cost reflective and the petitioner is allowed to recover ARR through tariff.

TPCODL acknowledges the importance of Mega Steel Plants in Odisha's industrial landscape and their contribution to the state's economic growth. However, we respectfully submit that the creation of a separate consumer category with differential tariff slabs based on load factor consumption needs to be examined holistically, considering its impact on other consumer categories and the overall revenue requirement of the DISCOMs. The current tariff structure has been designed through a balanced approach that ensures fair treatment across all consumer categories while maintaining the financial viability of the distribution company.

3. Proposal for Load Factor Rebate

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Response:

The method suggested by the Objector has not been substantiated with any justification for the method of incentive suggested and hence is devoid of any merit. The very motive of providing incentive is to encourage consumers to drawl more power from the incumbent distribution licensee and the tariff setting is done by the Hon'ble Commission keeping in view the entire cross subsidy mechanism and the mandate of the National Electricity Policy and Tariff Policy

4. ***Open Access and Related Issues***

Response:

Tariff determination and classification of consumers is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

TPCODL respectfully submits that the determination of Cross Subsidy Surcharge (CSS) and amendments to the Open Access Regulations are the sole prerogative of the Hon'ble Commission under the Electricity Act, 2003. The existing OERC Open Access Regulations, 2020 already align tariffs within ±20% of the Average Cost of Supply in accordance with the National Tariff Policy

CSS remains applicable as per Tariff Order dated 25.03.2025, which mandates payment of transmission, wheeling, and CSS for renewable open access equivalent to conventional power, ensuring equitable recovery irrespective of supply disruptions beyond licensee control. No regulatory exemption exists for statutory cuts/breakdowns, maintaining grid discipline and financial neutrality.

Requiring annual tentative drawal plans from Open Access applicants aligns with SLDC scheduling protocols and OERC processes for network capacity assessment, preventing grid congestion without contradicting operational flexibility. SLDC/OPTCL real-time approvals complement, rather than replace, this prudent forecasting, as practiced consistently.

As Per OERC Open Access Regulations 2020, Wheeling Charges (and associated distribution losses) do not apply to qualifying dedicated lines under Section 2(16) of the Electricity Act, 2003, as they bypass the distribution network; transmission losses may still apply if OPTCL infrastructure is used.

Charges reflect approved Contract Demand limits for grid stability; excess quantum requires SLDC approval and proportionate loss recovery, incentivizing investments while safeguarding honest consumers from subsidized overuse.

5. Summary of Interim Proposal approved vide Order dated 22.07.2025

Response:

Only two customers (2 Nos.) have opted to avail the benefit under this scheme.

As these customers are non CGP and non-Open Access customers, the details are as under:

a. AMRI
b. Safari Retreats

In both the cases revenue has dropped as there was no shift from Non-Solar hour to solar hour, therefore in the view overall consumers of this states, this scheme is not giving benefit to consumers rather giving financial benefit to specific consumers who availed this scheme. That is why this scheme was approved up 31.03.2026 as a pilot project. Discoms are not inclined to agree further for the continuation of this scheme.

6. Third Party Access (TPA) mechanism with modified terms

Response:

In TPCODL area there no such consumer.

7. Special Tariff of Rs. 4.30 per kVAh

> **11.** It is further submitted that the special tariff of ₹4.30 per kVAh should be extended to all types of industries, with or without CGP, without any condition of assured consumption or linkage to load factor, so as to ensure non-discriminatory access and effective uptake.

Response:

The response already provides in our response to Point 5.

8. Restructuring of ToD based Tariff

Response:

The restructuring of ToD based RST is proposed by TPCODL only for Open Access/ CGP Consumer. The detailed reasoning for this proposal is given at Para. 265 to 271 of our ARR Petition.

The Sole purpose of this proposal is to utilize the low cost power available during the Solar Hour which is being sold by GRIDCO @Rs. 1.5 to 2.0 /kWh

9. Additional Load Factor Incentive

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

As any rebate has adverse impact on the ARR and hence tariff of the state, hence a reasonable rebate has been proposed by the DISCOM. The rebate asked by the objector is very high.

10. ToD Benefit and Surcharge

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

It is pertinent to mention here that the purpose of ToD surcharge/ incentive is to shift the load curve from Non-Solar Hour to Solar Hours, which is need of the hour and in the overall interest of the Power Sector in the state.

11. Contract Demand related issues

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

To cater to the demand of the CGP the DISCOMs/OPTCL/GRIDCO has made sufficient investment and capacity tie-up. A guaranteed minimum drawl from CGP will help utilities to plan and manage the supply and demand of the state especially during speak hours and also to maintain grid stability.

Further rational behind this proposal has been provided at Para 272 to 274 of our ARR Petition.

12. Extension for Temporary Supply

Response:

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This is a Supply Code related issues.

13. Details on Green Consumers

> **17.** TPCODL is requested to specify, with supporting data, the number of industrial consumers having Captive Generating Plants (CGP) and those without CGP who have come forward to avail green power pursuant to the directions issued by the Hon'ble Commission at paragraph 124 of the ARR Approval and RST Order dated 24.03.2025 for FY 2025–26. The details may include consumer category-wise breakup, contracted demand, quantum of green power opted, source of procurement, and the status of implementation, so as to enable proper assessment of compliance with the said direction.

Response:

The detail of the Green Consumer are provided below:

Sl No	Period	No of Consumers Availed Green Energy	Total Green Energy Availed (Mus)
1	FY 24-25	33	32.44
2	FY 25-26 (Till Dec'25)	42	26.99

14. Temporary additional load beyond CD

Response:

We have in our proposal requested the Hon'ble Commission to fix a suitable tariff and not 10% increase in existing demand and energy charges as pointed out by the objector. The detailed explanation is provided under para 237 to 241 of our ARR petition.

15. Reduce CD within Financial Year

Response:

The licensee following the regulation as stipulated in the Supply Code 2019.

16. Green Power to Industries having CGP through GTP Mechanism

Response:

The existing provisions of the allocation of Green Power are sufficient.

17. Sale of Renewable power to industries during Solar Hour and Green Tariff

Response:

We have submitted detailed proposal with reasoning for the industries in Para 275 to 281 of our ARR Petition.

18. Bill Revision issue

Response:

With regards to bill revision for past period the licensee is governed by the Supply Code 2019. We have also proposed this on several occasions including the recent filed petition for one time amnesty scheme for clearance of arrears of pre-vesting period.

Hon'ble Commission is requested to kindly allow us to carry out bill revision beyond 2 years.

19. Tariff at HT/EHT Level

25. We need to move to the Cost plus Tariff for Industries connected at HT and EHT level, i.e. the Tariff should be Bulk Supply Price + Transmission Charges + Transmission Loss + Reasonable Margin to DISCOM for EHT and HT Category. Necessary amendment in the Retail Supply Tariff Regulations may kindly be made accordingly.

Response:

Further the fixation of tariff is the sole prerogative of the Hon'ble Commission. The Hon'ble Commission fixes the tariff as per the provision of Tariff Regulation 2022, Tariff Policy and National Electricity Policy

20. Providing connection to Green Hydrogen Projects under separate metering arrangement.

Response:

Connection to green hydrogen project is a new issue in the state for which we have prayed for necessary direction and detailed procedural guidelines under Para 257 – 264 of our ARR Petition.

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21. Charging of leading power factor while billing to EHT Consumers i.e (Lead+Lag) kVah Billing

Response:

A proposal in this matter has been submitted under point 9.18 of our ARR Petition.

22. Distribution Loss

Response:

The HT network consists of 33kV and 11kV network so as per the observation raised by the objector when losses of 33kV and 11kV are added up it comes to 8%, which is in line with the normative loss being approved by the Hon'ble Commission at present.

23. Net Metering, Gross-Net Metering and other schemes related issues

Response:

The Hon'ble Commission has the sole prerogative on Tariff determination and Tariff design. ESCO permissions for Net Metering/GNM installations among MSME/Commercial HT consumers fall outside the purview of the instant ARR Petition scope.

24. ***Security Deposit related issues***

Response:

These are Supply Code matter.

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14. Reply to Objections/ Suggestions raised by M/s Power Tech Consultants against Case No. 136/2025

1. Employee and A & G Cost

The total manpower cost and total manpower deployed needs to be assessed by considering the regular and outsourced manpower. Even the metering, billing and collection activities and expenses thereof should be considered under employee cost and not under Administrative & general Expenditure cost.

The ratio of employee per 1000 consumers should be written the limit specified by the Hon'ble OERC (i.e. 1.40) considering total regular and outsourced manpower and the manpower involved in metering, billing and collection activities.

Therefore, the employee cost proposed by all the four DISCOMs for FY2026-27 may kindly be approved after prudence check by the Hon'ble Commission.

Response:

The Emp Cost growth from FY-25 is provided in table below.

Particular	UoM	FY 2024-25 (Actual)	Estimate for FY 2025-26	Projection for FY 2026-27
Net Emp Cost	Rs. Cr	882	893	965
Growth over PY	%		1%	8%

As can be seen the estimated employee cost for FY 2025-26 is just 1 % above FY 2024-25 and the employee cost for FY-27 is just 8% above FY 2025-26. The FY-27 estimate includes proposal for recruitment of 220 Operation / Distribution Technical Trainee and 70 Officers for which detailed justification has been provided in our petition under Para 22 to 44. Hence 8% escalation is reasonable considering the fact that the cost is governed by the statuary obligations like upward revision in remuneration of employees and increase in minimum wages, etc.

As far as manpower number is concerned it is well within the approved manpower numbers. The Tariff Regulation 2022 , requires O&M cost to be segregated into 3 part i.e Employee Cost, R&M and A&G with different methodology mentioned for each head.

The outsourced manpower is deployed by the contractor for project specific assignments and numbers of which keep on varying depending upon the requirements. The project specific awarding of contracts for jobs like meter reading, billing, collection, customer service, etc. are

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a regular feature across the country in power distribution business. Therefore, inclusion of such numbers under ratio of employee per 1000 consumers is not correct.

2. *A & G cost*

Response:

The Cost booked under A&G is related to works being carried out for license business only. The detailed justification for A&G expenses for FY 2026-27 has been provided under Para 45 – 78 of our ARR petition. In our submission this 7% escalation should be provided on the actual of the current year being taken as base, considering other factors like revision in minimum wages and other uncontrollable factors which have been provided in detailed in our petition considering the zero-based as well as normative approach.

3. *Depreciation Cost*

Response:

Depreciation are approved in ARR based on estimated capitalization and GFA, the actual GFA needs to be taken into account at time of true up. The actual depreciation claimed in True Up for FY 2024-25 is Rs. 136 Cr. Further, as per the directive of the vesting order and Tariff Regulation 2022 , depreciation on inherited assets has been computed at 'Pre-92' rates and depreciation of assets created out of Govt. grant has not been claimed. The detailed justification has been provided under Para 140-150 of our ARR petition.

4. *Provision for Bad & Doubtful*

Response:

The claim of the petitioner is as per the provisions of the existing regulatory framework. The Discom has post-vesting period arrear appearing in its books of accounts.

5. *Repair & Maintenance(R&M) Expenses*

Response:

Approval for additional R&M activities are be asked only for activities that are being undertaken as per mandatory directives (as provided at Table 2-32, Page 45).

The Tariff Regulations 2022, allows R&M on GFA of assets, accordingly the Discoms has claimed the same in its ARR. Further in Tariff Regulation 2022, a declining percentage on GFA for entitlement for R&M has been prescribed by the Hon'ble Commission (4.2 % in FY 2023-24 to 3% for FY 2026-27).

6. **Revenue Requirement**

Hon'ble Commission to allow Revenue Requirement for FY 2026-27 after scrutinizing and allow only reasonable expense to control tariff

Response:

We have submitted the ARR strictly in provision of Tariff Regulation 2022. The Hon'ble commission will approve the same after prudence check.

7. ***Industrial Tariff for EHT consumers - Industrial Tariff for EHT Consumers-Although EHT loads are contributing significantly to overall reduction of AT&C losses and stability of GRID, the tariff for EHT loads are increasing year over year***

Response:

There is no tariff hike since FY 2022-23.

8. ***Distribution Loss** - **DISCOMs have themselves admitted that the distribution loss at 33KV and 11KV has been reduced to 3.5% to 4.5%. Hence, Hon'ble OERC should consider normative HT loss at 3%.***

Response:

The HT network consists of 33kV and 11kV network so as per the observation raised by the objector when losses of 33kV and 11kV are added up it comes to 8%, which is in line with the normative loss being approved by the Hon'ble Commission at present.

9. ***Need for consumer category Provision for Mega steel Plant***

Response:

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Issues raised by the respected respondent is related to classification of consumer which is a supply code issue and does not come under the current tariff proceeding.

Our submission is that tariff must be cost reflective and the petitioner is allowed to recover ARR through tariff.

TPCODL acknowledges the importance of Mega Steel Plants in Odisha's industrial landscape and their contribution to the state's economic growth. However, we respectfully submit that the creation of a separate consumer category with differential tariff slabs based on load factor consumption needs to be examined holistically, considering its impact on other consumer categories and the overall revenue requirement of the DISCOMs. The current tariff structure has been designed through a balanced approach that ensures fair treatment across all consumer categories while maintaining the financial viability of the distribution company.

10. Proposal for Load Factor rebate

Response:

The method suggested by the Objector has not been substantiated with any justification for the method of incentive suggested and hence is devoid of any merit. The very motive of providing incentive is to encourage consumers to drawl more power from the incumbent distribution licensee and the tariff setting is done by the Hon'ble Commission keeping in view the entire cross subsidy mechanism and the mandate of the National Electricity Policy and Tariff Policy

11. Open Access and related issues.

Response:

Tariff determination and classification of consumers is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

TPCODL respectfully submits that the determination of Cross Subsidy Surcharge (CSS) and amendments to the Open Access Regulations are the sole prerogative of the Hon'ble Commission under the Electricity Act, 2003. The existing OERC Open Access Regulations, 2020 already align tariffs within ±20% of the Average Cost of Supply in accordance with the National Tariff Policy

CSS remains applicable as per Tariff Order dated 25.03.2025, which mandates payment of transmission, wheeling, and CSS for renewable open access equivalent to conventional power, ensuring equitable recovery irrespective of supply disruptions beyond licensee control. No regulatory exemption exists for statutory cuts/breakdowns, maintaining grid discipline and financial neutrality.

Requiring annual tentative drawal plans from Open Access applicants aligns with SLDC scheduling protocols and OERC processes for network capacity assessment, preventing grid congestion without contradicting operational flexibility. SLDC/OPTCL real-time approvals complement, rather than replace, this prudent forecasting, as practiced consistently.

As Per OERC Open Access Regulations 2020, Wheeling Charges (and associated distribution losses) do not apply to qualifying dedicated lines under Section 2(16) of the Electricity Act, 2003, as they bypass the distribution network; transmission losses may still apply if OPTCL infrastructure is used.

Charges reflect approved Contract Demand limits for grid stability; excess quantum requires SLDC approval and proportionate loss recovery, incentivizing investments while safeguarding honest consumers from subsidized overuse.

12. Re-introduction of Delayed Payment Surcharge

Response:

There was a tendency among the category of LT Domestic, General Purpose and HT Bulk Supply Domestic etc. consumers negligent towards bill payment once the due date is over as no delayed payment surcharge was applicable. The Domestic and GPS category current billing is more than 90% of total LT billing and compared to total billing these consumers billing is around 46%. Therefore, in order to achieve 100% collection of LT current billing in every month, consumers should proactively pay in time and for which it is requested to introduce DPS for these categories of consumers. The Hon’ble Commission may kindly consider the proposal of the Petitioner.

It is pertinent to mention here that consumers who are defaulting in making payment on or before due date are actually putting financial burden on other consumers due to increased borrowing cost. Therefore, in order to bring equality among all category of consumers for timely payment of electricity bill, this proposal has been put up for kind consideration of the Hon’ble Commission.

The Hon’ble Commission is, therefore, requested to kindly consider re-introducing the DPS for LT Domestic, LT General Purpose and HT Bulk Supply Domestic Consumers. However, the Due Date for the payment can be extended from the normal 7 days to the next due date as made applicable in the past. But for the rebate entitlement 7 days payment may please be retain.

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As of now there is no deterrent for defaulting consumers falling under such category who are not paying their electricity bills on or before due date, despite the fact that a lot of rebate mechanism exist in the Tariff Order. Discoms are putting lot of resources and effort into recovery of electricity dues which ultimately burdening the rest of consumers who are making timely payment to Discom.

In case of disconnection due to non-payment of electricity dues by due date such consumers are tend to illegally restore the supply or indulge in theft of electricity by means of hooking and others illegal practices which jeopardizing the interest of rest of consumers.
Disconnection of electricity due to non-payment requires prior notice for 15 days which again incentivize such consumers not to pay dues on due dates.

In view of above it is once again requested to Hon’ble Commission that mechanism to levy DPS for delay payment of electricity dues must be introduced so that interest of other consumers are protected. Further, incase of cheque bounce the DPS must be levied from the due date to the date till it is cleared apart from other legal action as available as per negotiable Instrument Act shall be scrupulously followed.

***13.* Net Metering, Gross Metering and Other Schemes**

Response:

All required information are being shared with Hon’ble Commission and GRIDCO.

31. As part of the OTS Scheme 2022 closure process, DISCOM must submit a comprehensive report detailing the arrears collected from different consumer categories under the scheme.

Response:

As per the directions of the Hon’ble Commission in the OTS Scheme orders, the detailed information has been submitted to the Hon’ble Commission.

14. Smart Meter installation under RDSS and Other Point

Response:

As per the provisions of the Revamped Distribution Sector Scheme (RDSS), private DISCOMs are not eligible for financial support. Financial assistance under the RDSS is available only to State-owned DISCOMs limited to 15% of the meter cost or ₹900 per meter, whichever is lower, with the remaining 85% of the cost to be borne by consumers. Other important pre conditions are as under:-

a. Smart meters are required to be installed exclusively in prepaid mode. However, in Odisha, consumers have shown limited inclination to opt for prepaid smart metering.

b. The TOTEX (Total Expenditure) model prescribed under RDSS is costlier than the implementation model currently adopted by the Odisha DISCOMs.

Notwithstanding the above constraints, the Government of Odisha pursued the matter with the Government of India seeking consideration of financial support. However, due to policy limitations under RDSS, the request could not be acceded to.

In view of the mandatory regulatory framework for smart metering, and keeping in mind the overall interest of electricity consumers, particularly low-income consumers, the State Government has sanctioned a one-time financial support of ₹735 crore for FY 2025–26.

Further contrary to the objection of the objector regarding duplication of investment it is submitted that there will no duplication, smart meters are being installed as per priority order stipulated by Hon'ble Commission.

Further installation of smart meter under capex will be like any other capex which will have treatment as mentioned in the Tariff Regulation 2022

15. Rebate related issue

Response:

(i) **Digital Rebate**

In the Jan 2026, nearly 10 Lakh numbers of consumers have availed 4% digital rebate. The digital rebate has introduced for low end consumer who are not well versed with digital mode. Big consumers are already well versed on digital payment mode. Hence, the suggestion of the objector for extending the digital rebate to other consumers does not have any merit as any type of rebate have impact on ARR and Tariff of the state.

(ii) E-Bill

Rs. 10 rebate per month for consumer who opt for e-bill is already existing in the state and we have not proposed for any additional rebate, as remarked by the objector. The details of consumer availed e-bill facility has already been submitted to the Hon'ble Commission as part of our response to ARR query.

(iii) Mega Lift

Our proposal is based on the objective of the flattening the load curve by encouraging solar hour consumption which will benefit the entire state.

16. Summary of Interim Proposal approved vide Order dated 22.07.2025

Response:

Only two customers (2 Nos.) have opted to avail the benefit under this scheme.

As these customers are non CGP and non-Open Access customers, the details are as under:

a. AMRI
b. Safari Retreats

In both the cases revenue has dropped as there was no shift from Non-Solar hour to solar hour, therefore in the view overall consumers of this states, this scheme is not giving benefit to consumers rather giving financial benefit to specific consumers who availed this scheme. That is why this scheme was approved up 31.03.2026 as a pilot project. Discoms are not inclined to agree further for the continuation of this scheme.

17. Third Party Access (TPA) mechanism with modified terms

Response:

In TPCODL area there no such consumer.

18. Special Tariff of Rs. 4.30 per kVah

38. It is further submitted that the special tariff of ₹4.30 per kVAh should be extended to all types of industries, with or without CGP, without any condition of assured consumption or linkage to load factor, so as to ensure non-discriminatory access and effective uptake.

Response:

The response already provides in our response to Point 16.

19. Additional load factor incentive

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

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As any rebate has adverse impact on the ARR and hence tariff of the state, hence a reasonable rebate has been proposed by the DISCOM. The rebate asked by the objector is very high.

20. ToD Benefit and Surcharge

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

It is pertinent to mention here that the purpose of ToD surcharge/ incentive is to shift the load curve from Non-Solar Hour to Solar Hours, which is need of the hour and in the overall interest of the Power Sector in the state.

21. Revision of Reconnection charges with penalty clause

Response:

Cost incurred by the petitioner on reconnection charges should not be socialized and it should be recovered from the specific consumer who has defaulted in payment of electricity bills. Further these charges has been revised by the Hon'ble Commission while issuing tariff order for FY 2025-26 which should continue till further revision.

22. Contract Demand related issues

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

To cater to the demand of the CGP the DISCOMs/OPTCL/GRIDCO has made sufficient investment and capacity tie-up. A guaranteed minimum drawl from CGP will help utilities to plan and manage the supply and demand of the state especially during speak hours and also to maintain grid stability.

Further rational behind this proposal has been provided at Para 272 to 274 of our ARR Petition.

25. Extension for Temporary Supply

Response:

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This is a Supply Code related issues.

26. Details on Green Consumers

47. The DISCOM is requested to specify, with supporting data, the number of industrial consumers having Captive Generating Plants (CGP) and those without CGP who have come forward to avail green power pursuant to the directions issued by the Hon'ble Commission at paragraph 124 of the ARR Approval and RST Order dated 24.03.2025 for FY 2025–26. The details may include consumer category-wise breakup, contracted demand, quantum of green power opted, source of procurement, and the status of implementation, so as to enable proper assessment of compliance with the said direction.

Response:

The detail of the Green Consumer are provided below:

Sl No	Period	No of Consumers Availed Green Energy	Total Green Energy Availed (Mus)
1	FY 24-25	33	32.44
2	FY 25-26 (Till Dec'25)	42	26.99

27. Temporary additional load beyond CD

Response:

We have in our proposal requested the Hon'ble Commission to fix a suitable tariff and not 10% increase in existing demand and energy charges as pointed out by the objector. The detailed explanation is provided under para 237 to 241 of our ARR petition.

28. Reduce CD within Financial Year

Response:

The licensee following the regulation as stipulated in the Supply Code 2019.

29. *Allocation of Green Power to industries having CGP through GTP mechanism*

Response:

The existing provisions of the allocation of Green Power are sufficient.

30. Green Tariff for Sale of Renewable Power through DISCOMS

Response:

We have submitted detailed proposal with reasoning for the industries in Para 275 to 281 of our ARR Petition.

31. Bill Revision issue, Extend kVAh billing to LT consumers

Response:

With regards to bill revision for past period the licensee is governed by the Supply Code 2019. We have also proposed this on several occasions including the recent filed petition for one time amnesty scheme for clearance of arrears of pre-vesting period.

Hon'ble Commission is requested to kindly allow us to carry out bill revision beyond 2 years. On kVAh biling to LT consumers detailed justification has been provided in Para 229 to 231 of our ARR petition.

32. Tariff at HT/EHT Level

56. We need to move to the Cost Plus Tariff for Industries connected at HT and EHT level, i.e. the Tariff should be Bulk Supply Price + Transmission Charges + Transmission Loss + Reasonable Margin to DISCOM for EHT and HT Category. Necessary amendment in the Retail Supply Tariff Regulations may kindly be made accordingly.

Response:

Further the fixation of tariff is the sole prerogative of the Hon'ble Commission. The Hon'ble Commission fixes the tariff as per the provision of Tariff Regulation 2022, Tariff Policy and National Electricity Policy

33. Installation of Smart Meter and abolition of Meter Rent

Response:

In compliance to the directive of the Hon'ble commission we have submitted the smart meter installation plan for consumer with CD more than 2 kW for kind consideration of the Hon'ble Commission. The Hon'ble Commission may kindly take suitable decision in this case.

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34. Amnesty scheme for clearance of Arrears of Pre-Vesting period.

Response:

A separate petition has been filed in this regard which will be heard by the Hon'ble commission separately however it is submitted that this scheme is related to pre vesting period arrear , the waiver of principal and DPS as proposed in the scheme will not have any tariff impact as pointed out by the objector. Moreover, realization from the scheme will benefit the consumers of the state.

35. Providing Connection to Green Hydrogen Projects under separate metering arrangement

Response:

Connection to green hydrogen project is a new issue in the state for which we have prayed for necessary direction and detailed procedural guidelines under Para 257 – 264 of our ARR Petition.

36. Re-structuring of ToD based RST

Response:

The restructuring of ToD based RST is proposed by TPCODL only for Open Access/ CGP Consumer. The detailed reasoning for this proposal is given at Para. 265 to 271 of our ARR Petition.

The Sole purpose of this proposal is to utilize the low cost power available during the Solar Hour which is being sold by GRIDCO @Rs. 1.5 to 2.0 /kWh

37. Charging of leading power factor while billing to EHT Consumers i.e. (Lead+Lag) kVAh Billing

Response:

A proposal in this matter has been submitted under point 9.18 of our ARR Petition.

38. Security Deposit related issue

Response:

These are Supply Code matter.

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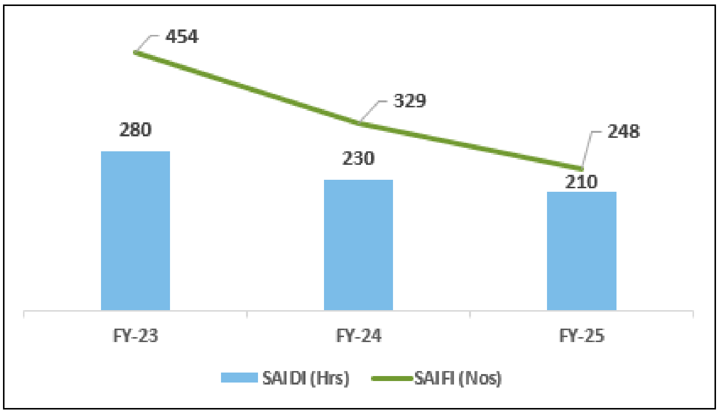
39. **Other Issues**

Response:

(i) Allegation of the Objector regarding increase in power outage during TATA Power tenure is also not correct. Rather power outage during TATA Power tenure is reduced substantially and also decreasing year by year. This can be observed from the SAIDI (System Average Interruption Duration Index) and SAIFI (System Average Interruption Frequency Index) are given in below table.



Through investments and operational enhancements over the last five years, TPCODL has demonstrated a steady improvement in key reliability indices – SAIFI & SAIDI, indicating measurable progress in outage management, preventive maintenance, and overall network strengthening.

As per the report of Consumer Service Rating of DISCOM (CSRD) published by Ministry of Power, Govt. of India for FY 23-24, the Hours of Supply (HoS) reflects the average number of hours electricity is supplied to customers each day. There has been a significant improvement in TPCODL service area with almost 99% availability in Urban areas and 94% in Rural Areas:

No.	Particular	TPCODL	National Average	National Max	National Min
1	Hours of Supply - Urban	23.70	23.53	24.00	21.44
2	Hours of Supply - Rural	22.58	21.57	23.92	15.33
3.	DT Failure Rate	2.90%	6.4%	51%	0%

(ii) The Licensee adheres to the rules and regulation and the provisions of the Act. The licensee will comply to every guideline that will be issued by Hon'ble Commission. Therefore allegation of Ld. Objector that Discoms are invoking

Section 126 of the Act to book consumer and disconnections without the issuance of provisional assessments is not correct.

(iii) Licensee never allows any telecom company to lay their cables through the electric poles.

(iv) As per section 135 of the Companies Act, 2013, it is mandatory for the companies to comply with the CSR provisions and are required to spend a minimum of 2% of their net profit over the preceding three years as CSR. Board of TPCODL has formed a CSR Committee which is empowered to direct and approve areas where CSR budget can be spent in order to maximise the benefit to society in Odisha. Need assessment through a structured process, being done to identify the areas of importance and the same is placed before the CSR committee for their perusal and approval. This ensures the channelizing the benefit to the section of society which need CSR. All the CSR expenditure are being placed before the CSR committee meeting and being discussed at length and comparison also done against the approved budget. Impact assessment of the CSR expenditure society is also undertaken. Company has a robust system of procurement to pay process and thereby making every expenditure to undergo a maker and checker process. Also, Company has robust internal audit system being conducted by renowned firm to ensure the reasonableness and governance built around the process and all the expenditure are subjected to their audit scope.

(v) The entire TPCODL geography is highly vulnerable to cyclone-induced damage. As per CEA guidelines, the TPCODL area is classified into three zones based on distance from the coastline: 0–20 km, 21–60 km, and beyond 61 km. The 0–20 km coastal zone is the most cyclone-prone and experiences maximum damage, with wind speeds exceeding 250 kmph during severe cyclone. Accordingly, the CEA Task Force and CDRI reports recommend underground networks for all new network in this zone. Wherever UG implementation is not feasible, overhead networks using steel GI H-poles with reduced span lengths of 30–35 m are recommended. Similarly for 21–60 km zone the network is also vulnerable for damage with cyclone wind speeds exceeding 200 kmph and hence steel GI H-poles are recommended for OH networks in this zone.In areas beyond 61 km, wind speeds during very severe cyclones can exceed 150 kmph . PSC poles arrangement with 11KV & 33KV network can withstand only 130–146 kmph they are not suitable under such cyclonic conditions. To ensure a resilient 33 kV and 11 kV distribution network, UG or GI H-poles are proposed for the 0–20 km zone, GI H-poles for the 21–60 km zone, and GI WPB poles beyond 61 km, based on zone classification and site conditions as per cyclone resilient network guidelines issues by CEA task force report & CDRI .Moreover, in non-coastal areas of the TPCODL network where elephant movement is prevalent the use of steel poles is recommended in place of PSC poles. In line this Department of Energy guidelines (2018) ha srecommended to use steel pole in place of PSC pole to enhance safety of Elephant and network reliability.

40. CSS, Wheeling Charges and Open Access

Response:

The petitioner has submitted the open access charges as per the existing regulatory framework which the Hon'ble commission may approve after prudence check.

15. Reply to Objections/ Suggestions raised by M/s. Tata Steel Limited, Athagarh against Case No. 136/2025

*1. **Unprecedented increase in Tariff applicable for EHT and HT Load due to introduction of kVAh billing.***

Response:

The Hon'ble Commission, has the sole prerogative on matters of Tariff determination and Tariff design.

The benefit of kVAh billing is to incentivize consumer who optimally maintains their power factor, so that: (a) transmission losses are reduced (b) improvement in system stability (c) better power quality and (d) improved voltage profile.

The kVAh billing system is prominent across country. Consumer who do not maintain optimal power factor shall always pay higher energy charges and consumer who maintain their optimal power factor will be always incentivized by way of lower energy charges.

*2. **Need for Consumer Category Provision for Mega Steel Plant***

Response:

Issues raised by the respected respondent is related to classification of consumer which is a supply code issue and does not come under the current tariff proceeding.

Our submission is that tariff must be cost reflective and the petitioner is allowed to recover ARR through tariff.

TPCODL acknowledges the importance of Mega Steel Plants in Odisha's industrial landscape and their contribution to the state's economic growth. However, we respectfully submit that the creation of a separate consumer category with differential tariff slabs based on load factor consumption needs to be examined holistically, considering its impact on other consumer categories and the overall revenue requirement of the DISCOMs. The current tariff structure has been designed through a balanced approach that ensures fair treatment across all consumer categories while maintaining the financial viability of the distribution company.

*3. **Proposal for Load Factor Rebate***

Response:

The method suggested by the Objector has not been substantiated with any justification for the method of incentive suggested and hence is devoid of any merit. The very motive of providing incentive is to encourage consumers to drawl more power from the incumbent distribution licensee and the tariff setting is done by the Hon'ble Commission keeping in view the entire cross subsidy mechanism and the mandate of the National Electricity Policy and Tariff Policy

4. ***Open Access and Related Issues***

Response:

Tariff determination and classification of consumers is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

TPCODL respectfully submits that the determination of Cross Subsidy Surcharge (CSS) and amendments to the Open Access Regulations are the sole prerogative of the Hon'ble Commission under the Electricity Act, 2003. The existing OERC Open Access Regulations, 2020 already align tariffs within ±20% of the Average Cost of Supply in accordance with the National Tariff Policy

CSS remains applicable as per Tariff Order dated 25.03.2025, which mandates payment of transmission, wheeling, and CSS for renewable open access equivalent to conventional power, ensuring equitable recovery irrespective of supply disruptions beyond licensee control. No regulatory exemption exists for statutory cuts/breakdowns, maintaining grid discipline and financial neutrality.

Requiring annual tentative drawal plans from Open Access applicants aligns with SLDC scheduling protocols and OERC processes for network capacity assessment, preventing grid congestion without contradicting operational flexibility. SLDC/OPTCL real-time approvals complement, rather than replace, this prudent forecasting, as practiced consistently.

As Per OERC Open Access Regulations 2020, Wheeling Charges (and associated distribution losses) do not apply to qualifying dedicated lines under Section 2(16) of the Electricity Act, 2003, as they bypass the distribution network; transmission losses may still apply if OPTCL infrastructure is used.

Charges reflect approved Contract Demand limits for grid stability; excess quantum requires SLDC approval and proportionate loss recovery, incentivizing investments while safeguarding honest consumers from subsidized overuse.

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5. Summary of Interim Proposal approved vide Order dated 22.07.2025

Response:

Only two customers (2 Nos.) have opted to avail the benefit under this scheme.

As these customers are non CGP and non-Open Access customers, the details are as under:

a. AMRI
b. Safari Retreats

In both the cases revenue has dropped as there was no shift from Non-Solar hour to solar hour, therefore in the view overall consumers of this states, this scheme is not giving benefit to consumers rather giving financial benefit to specific consumers who availed this scheme. That is why this scheme was approved up 31.03.2026 as a pilot project. Discoms are not inclined to agree further for the continuation of this scheme.

6. Third Party Access (TPA) mechanism with modified terms

Response:

In TPCODL area there no such consumer.

7. Special Tariff of Rs. 4.30 per kVah

Response:

The response already provides in our response to Point 5.

8. Restructuring of ToD based Tariff

Response:

The restructuring of ToD based RST is proposed by TPCODL only for Open Access/ CGP Consumer. The detailed reasoning for this proposal is given at Para. 265 to 271 of our ARR Petition.

The Sole purpose of this proposal is to utilize the low cost power available during the Solar Hour which is being sold by GRIDCO @Rs. 1.5 to 2.0 /kWh.

9. Additional Load Factor Incentive

Response:

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As any rebate has adverse impact on the ARR and hence tariff of the state, hence a reasonable rebate has been proposed by the DISCOM. The rebate asked by the objector is very high.

10. ToD Benefit and Surcharge

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

It is pertinent to mention here that the purpose of ToD surcharge/ incentive is to shift the load curve from Non-Solar Hour to Solar Hours, which is need of the hour and in the overall interest of the Power Sector in the state.

11. Contract Demand related issues

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

To cater to the demand of the CGP the DISCOMs/OPTCL/GRIDCO has made sufficient investment and capacity tie-up. A guaranteed minimum drawl from CGP will help utilities to plan and manage the supply and demand of the state especially during speak hours and also to maintain grid stability.

Further rational behind this proposal has been provided at Para 272 to 274 of our ARR Petition.

12. Extension for Temporary Supply

Response:

This is a Supply Code related issues.

13. Details on Green Consumers

TPCODL

18. TPCODL is requested to specify, with supporting data, the number of industrial consumers having Captive Generating Plants (CGP) and those without CGP who have come forward to avail green power pursuant to the directions issued by the Hon'ble Commission at paragraph 124 of the ARR Approval and RST Order dated 24.03.2025 for FY 2025–26. The details may include consumer category-wise breakup, contracted demand, quantum of green power opted, source of procurement, and the status of implementation, so as to enable proper assessment of compliance with the said direction.

Response:

The detail of the Green Consumer are provided below:

Sl No	Period	No of Consumers Availed Green Energy	Total Green Energy Availed (Mus)
1	FY 24-25	33	32.44
2	FY 25-26 (Till Dec'25)	42	26.99

14. Temporary additional load beyond CD

Response:

We have in our proposal requested the Hon'ble Commission to fix a suitable tariff and not 10% increase in existing demand and energy charges as pointed out by the objector. The detailed explanation is provided under para 237 to 241 of our ARR petition.

15. Reduce CD within Financial Year

Response:

The licensee following the regulation as stipulated in the Supply Code 2019.

16. Green Power to Industries having CGP through GTP Mechanism

Response:

The existing provisions of the allocation of Green Power are sufficient.

17. Sale of Renewable power to industries during Solar Hour and Green Tariff

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Response:

We have submitted detailed proposal with reasoning for the industries in Para 275 to 281 of our ARR Petition.

18. Bill Revision issue

Response:

With regards to bill revision for past period the licensee is governed by the Supply Code 2019. We have also proposed this on several occasions including the recent filed petition for one time amnesty scheme for clearance of arrears of pre-vesting period.

Hon'ble Commission is requested to kindly allow us to carry out bill revision beyond 2 years.

19. Tariff at HT/EHT Level

25. We need to move to the Cost plus Tariff for Industries connected at HT and EHT level, i.e. the Tariff should be Bulk Supply Price + Transmission Charges + Transmission Loss + Reasonable Margin to DISCOM for EHT and HT Category. Necessary amendment in the Retail Supply Tariff Regulations may kindly be made accordingly.

Response:

Further the fixation of tariff is the sole prerogative of the Hon'ble Commission. The Hon'ble Commission fixes the tariff as per the provision of Tariff Regulation 2022, Tariff Policy and National Electricity Policy.

20. Providing connection to Green Hydrogen Projects under separate metering arrangement.

Response:

Connection to green hydrogen project is a new issue in the state for which we have prayed for necessary direction and detailed procedural guidelines under Para 257 – 264 of our ARR Petition.

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21. Charging of leading power factor while billing to EHT Consumers i.e (Lead+Lag) kVah Billing

Response:

A proposal in this matter has been submitted under point 9.18 of our ARR Petition.

22. Distribution Loss

Response:

The HT network consists of 33kV and 11kV network so as per the observation raised by the objector when losses of 33kV and 11kV are added up it comes to 8%, which is in line with the normative loss being approved by the Hon'ble Commission at present.

23. ***Security Deposit related issues***

Response:

These are Supply Code matter.

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16. Reply to Objections/ Suggestions raised by M/s. GRIDCO Ltd. against Case No. 136/2025

1. Energy Sales Growth

Response:

The energy sales projections for FY 2026–27 are based on a comprehensive assessment of consumer addition, sanctioned and upcoming loads, growth in HT/EHT segments, urbanization, and increasing per-consumer consumption and past year trends not on short-term growth observed during Apr–Sep FY 2025–26. Partial-year data does not capture seasonality, demand, or the impact of new connections and load ramp-up and therefore cannot be the sole basis for annual projections. It is pertinent to mention here that if we compare the actual sale data of LT Consumer of FY 2023-24 compared with FY 2024-25 the growth is around is 13% and similar trend is observe in pervious period.

TPCODL further submits that the Hon'ble Commission has accorded in principle approval of energy sales in order dated 14.09.2023 in the matter of Case No- 45 /2023 while stipulating that sales projections will be scrutinized and approved during every year tariff proceedings as there may be variation due to various factors (relevant extract given below) . It is also submitted that the sales approved in this order is broadly aligned with our projection and system growth outlook.

32 (f) …

> ***However, there may be some variation in a particular year due to change in load mix. The Commission during the tariff exercise of relevant year will scrutinize the projection for the next year and shall approve the same in the respective years tariff order**. GRIDCO being the shareholder in the DISCOMs may be consulted by DISCOMs before filing the sales projection with the Commission during the annual tariff proceeding.*
>
> ***(Emphasis Supplied)***

The Hon'ble Commission may kindly consider previous year's trends, future outlook and demand and recent data while approving the Sales for FY 2026-27.

2. *Simultaneous Maximum Demand (SMD).*

2. **Simultaneous Maximum Demand (SMD)**

TPCODL has submitted that, it's projected Simultaneous Maximum Demand (SMD) for FY 2026–27 would be **2,752 MVA**. However, the highest actual SMD recorded during FY 2025–26 was 2,539 MVA. This implies an increase of about 8.38% in SMD, which would result in an additional fixed cost burden on GRIDCO's power procurement cost.

GRIDCO submits that, the Hon'ble Commission may approve monthly determination of SMD based on actual SLDC data with proportionate adjustment for FY 2026–27 demand growth, and allow recovery of charges for any excess drawal beyond approved monthly quantum and SMD at actual power purchase cost or applicable BSP, whichever is higher, on a monthly settlement basis, so as to ensure grid discipline and maintain GRIDCO's financial neutrality.

Response:

Simultaneous Maximum Demand (SMD) estimated for FY 2026–27 is assessed based on historical demand trends, weather sensitivity, system conditions and energy–load factor relationships.

Energy Input estimates for FY 2026–27 is 13,248 Mus. Segregating it on a monthly basis, monthly peak approximation is around 1,336 MUs for May 2026 and 1,272 MUs for June 2026. Further applying an observed system load factor of 0.66, the corresponding SMD works out to be approximately 2,895 MVA for May 2026 and 2,821 MVA for June 2026, which are higher than the projected SMD of 2,752 MVA, thereby demonstrating that the adopted SMD projection is conservative and prudent. Independent time-series forecasting using demand data from the last four financial years also yields SMD values close to 2,752 MVA, further validating the projection.

The SMD for FY 2023–24 was 2,243 MVA, which increased sharply in FY 2024–25, representing a growth of approximately 9.3%, The actual SMD recorded for FY 2024–25 was 2,451 MVA, which increased to 2,539 MVA in FY 2025–26, reflecting a growth of approximately 3.6%. This relatively moderate increase (below 5%) might be attributable to the absence of extreme summer conditions during FY 2025–26, influenced by prevailing large-scale climatic patterns, including La Niña conditions, which generally suppress peak cooling demand across large parts of India.

Based on projections from global and national climate outlooks, the upcoming summer period (May–June 2026) is not expected to be influenced by either strong El Niño (extreme heat) or strong La Niña (abnormally mild summer) conditions; instead, a neutral to moderate heatwave scenario is presently indicated. Further, analysis of demand patterns shows that during FY 2023–24 to FY 2024–25, average demand growth was around 5% during solar hours and approximately 8% during non-solar hours, reflecting increasing evening and night-time demand. Accordingly, considering a baseline structural demand growth of around 5%, along with an incremental ~3% impact attributable to seasonal temperature sensitivity, TPCODL has projected an overall SMD growth of around 8% for FY 2026–27, which is consistent with observed demand behaviour.

Further with regards to proposal of respondent on monthly SMD and settlement, we submit following.

We are of the view that the existing system effectively accounts for various operational realities including seasonal variations, festival-related demand spikes, industrial production cycles, and agricultural demand patterns. The yearly calculation provides essential operational flexibility while allowing DISCOMs to better manage their power distribution and maintenance schedules without unnecessary financial burdens. Therefore, there should not be any change in the existing SMD framework.

The DISCOMs maintain a strict compliance with approved SMD limits through regular SCADA monitoring and comprehensive load management strategies. Switching to a monthly SMD system would create significant operational challenges, including increased complexity in power demand planning, additional financial burdens from monthly reconciliation, and reduced flexibility in managing seasonal variations.

The extract from the BSP Order dated 24.03.2025 showing the existing framework is provided below for the ease of reference.

> *315. After examining the proposal of GRIDCO, the Commission decided that there shall not be any levy of separate maximum demand charges upto the permitted SMD in a month for the distribution licensee(s) for the FY 2025-26. Permitted SMD would mean monthly SMD recorded upto maximum of 5% over the approved SMD in the current tariff order to* ***take care of monthly variations****. Any excess drawl over the permitted SMD will have to be paid by the Distribution Licensee(s) @ Rs.250 per kVA per month****, subject to the condition that the annual average SMD shall be limited to the SMD approved in the order****. This is essential for proper planning of load and ensuring system stability. In case the annual average SMD is more than the approved SMD, then over drawl quantum shall attract the penalty @Rs.250 per kVA per month, notwithstanding the fact that a licensee might have paid the SMD charges for exceeding the permitted SMD in any month.* ***(Emphasis Supplied)***

Further , the Hon'ble Commission has already notified the OERC (Framework for Resource Adequacy) Regulations, 2024 in February 2025. The Discoms have submitted the Short/Medium/Long Term Forecasting information to SLDC in compliance with the aforesaid Regulations and are in regular interaction with the SLDC for further improvement. Further, the

Hon'ble Commission has notified the draft OERC (Deviation Settlement Mechanism and Related Matters) Regulations, 2025 in July 2025. The Discoms have already submitted their suggestions/views on the same in September 2025 highlighting some issues like Lack of proper infrastructure, exclusion of the HT/EHT consumers from the purview, problem like imbalance equation etc.

In view of the above , we pray before the Commission to continue the existing practice.

3. ***Peak Hour Demand Projection& ToD/ Solar Hour Utilisation***

Response:

TPCODL respectfully submits that the peak demand projections and solar hour utilisation assumptions are realistic and necessary for reliable power procurement planning, and any deviation is subject to real-time optimization and true-up, adequately safeguarding consumer interest.

TPCODL humbly prays that the Hon'ble Commission may kindly undertake a prudence check while approving the ARR and determining tariff. TPCODL respectfully submits that the tariff framework should continue to remain cost-reflective, in line with the Electricity Act, 2003 and established regulatory principles.

4. ***Employee Cost***

- TPCODL has proposed an increase of ₹72.05 crore employee cost for FY 2026–27, which reflects a continuing upward trend without demonstrated efficiency gains or prudence justification.
- Outsourced manpower cost already stands in excess of the level approved by the Hon'ble Commission. Against an approved cost of ₹76.1 crore for FY 2025–26, TPCODL has estimated an actual expenditure of ₹76.52 crore, resulting in an excess of ₹0.42 crore.
- GRIDCO submits that outsourced manpower expenses are controllable in nature, and any expenditure in excess of the approved level, particularly when already exceeded in the past, may be reviewed.
- Gradually shift critical operational and safety-sensitive activities to trained internal resources, to ensure consistency, accountability, and improved safety performance.
- This is also directed by Hon'ble Commission in the case no 46/ 2023.

TPCODL

Response:

a. On the observation on High employee Cost projection (Re. 72.05 Cr for FY 2026-27) without demonstrating efficiency ,our submission is provided below.

The Emp Cost growth from FY-25 is provided in table below.

Particular	UoM	FY 2024-25 (Actual)	Estimate for FY 2025-26	Projection for FY 2026-27
Net Emp Cost	Rs. Cr	882	893	965
Growth over PY	%		1%	8%

As can be seen the estimated employee cost for FY 2025-26 is just 1 % above FY 2024-25 and the employee cost for FY-27 is just 8% above FY 2025-26. The FY-27 estimate includes proposal for recruitment of 220 Operation / Distribution Technical Trainee and 70 Officers for which detailed justification has been provided in our petition under Para 22 to 44. Hence 8% escalation is reasonable considering the fact that the cost is governed by the statuary obligations like upward revision in remuneration of employees and increase in minimum wages, etc.

The observation that the employee cost has not resulted into any efficiency , it is submitted the employees have delivered high performance thereby achieving excellent organizational performance which has resulted into following.

1. Stable retail supply tariff despite increase in BSP almost every year (from Rs. 2.61 / unit at time of take over to Rs. 3.15 in FY 2025-26 (i.e. 21% hike). It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for ‘Allied-Agro Industrial Activities’ in FY-24 and **10 Paise per kWh reduction** in Energy Charges for LT Domestic Consumers (all Slabs). Reduction of **Rs. 10 in** Monthly Fixed Charges for Kutirjyoti Consumers (From **Rs. 80 per month to Rs. 70 per month in FY-25).**

2. “A+” rating under the Integrated Rating of DISCOMs published by the Government of India which include the criteria like billing efficiency, collection efficiency, supply hours, end customer service.

3.Reduction in AT&C loss: 30.44% at time of takeover to 18.94% in FY-25

4. Employee ratio per 1000 consumer has reduced from 1.88 (at Takeover) to 1.41 (FY 2026-27 estimated)

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b. On the observation on High Outsourced employee Cost and Rs. 0.42 Cr excess for FY-26 , we submit following.

The minor increase of Rs. 0.42 Cr is attributable to revision in minimum wages notification of Govt. of Odisha dated 18.07.2024 and 30.09.2024 (table below)

% increase in Minimum Wages					
Category of Skill	Minimum Wages Rate 17th Jul-24 (Rs.)	Increase Minimum Wages Rate w.e.f 18th Jul-24 (Rs.)	VDA increased w.e.f 1st Oct 2024 (Rs.)	Total Diff Rates/Per Day (Rs.)	% of Increase in Minimum Wages
	A	B	C	D =(B+C-A)	E =(D/A)
Un-Skilled	352	450	2.00	100	28.41
Semi-Skilled	392	500	2.00	110	28.06
Skilled	442	550	2.00	110	24.89
High Skilled	502	600	2.00	100	19.92

Further, there has been another increase in minimum wages w.e.f. 01.04.2025 vide Govt. of Odisha's notification dated 30.04.2025.

TPCODL respectfully submits that the projected employee cost for FY 2026–27 has been arrived at based on actual manpower requirement, approved organizational structure, statutory wage revisions and increasing operational responsibilities, including expansion of network, round-the-clock operations, metering, loss-reduction initiatives, safety compliance, and consumer service obligations. Further, employee cost is prudently examined by the Hon'ble Commission and any variation is subject to true-up based on actuals.

5. ***R&M Cost***

Response:

TPCODL respectfully submits that the Repair & Maintenance (R&M) expenses projected for FY 2026–27 have been computed strictly in line with the provisions of the OERC Tariff Regulations, 2022, based on the approved Gross Fixed Assets (GFA) and assets maintained by TPCODL.

a. R&M may be allowed as per normative level at Rs 374 Cr.

The respondent has not considered following

7	Special R&M for FCC manning of all Rural Areas in two shifts which has been implemented as per directive given in SAC meeting of July 2023 and Annual Performance Review dated 12.07.2023 and Uniforms for Business Associate Employees	13
8	Special R&M for minimizing human and elephant conflict, public awareness ,night patrolling in elephant movemnet area and restoration work during unforseen situations	
9	Special R&M for additional shifts in all rural FCCs to ensure all FCCs run on three shifts to provide better services to all consumers	12
10	**Total Special /Additional R&M (Mandatory Directives)**	**25**

It is submitted that the above activities are being undertaken because of mandatory directives as mentioned above, hence cannot be accommodated within the normative allowance and hence need to be approved under 'special/additional ' R&M.

b. DTR under BGJY : We have prepared our ARR submission based on the data received from OPTCL as on 31.03.2024. We have further sought clarification from OPTCL vide our letter TPCODL/CEO/2025-26/61 dated 19th Jan 2026.

c. ODSSP asset to be considered net of equity transfer: On the amount against these assets , We have prepared our ARR submission based on the data received from OPTCL as on 31.03.2024. We have further sought clarification from OPTCL vide our letter TPCODL/CEO/2025-26/61 dated 19th Jan 2026. However, in our estimate we have considered the GFA under ODSSP after net of assets transferred by GRIDCO in lieu of equity (Please refer Sr -1 of Table 2-25 ,page 39 of our petition).

d. Assets created by Central Govt Scheme : For these types of assets we have based our estimate as per the MoM of 1st meeting of committee for development of protocol for asset management of GOI/GOO funded schemes held on 12.10.2023. The above data has again been validated and confirmed by GRIDCO vide its letter dated 31.12.2025 (Copy enclosed as Annexure-1).

Therefore, we respectfully submit to the Hon'ble commission that our R&M expenditure on this head may please be allowed as per our projection given in our ARR petition which is as per the Tariff Regulation 2022.

6. *A&G Cost*

Response:

a. Escalation may be inline with Sales Growth /inflation :

We have provided both normative computation (Table 2-17, page 29) and zero based budgeting (Table 2-18, page-30,) with detailed item wise explanation is provided in Para 45 to 78 in our petition which may kindly be approved.

b. Billing and Collection cost are controllable:

It is submitted TPCODL is optimizing its cost as a result the Customer related activities (incl. Metering , Billing and Collections) have remained at same level for both FY 2025-26 and FY 2026-27 (Rs. 141 Cr for FY 2025-26 and Rs. 140 Cr for FY 2026-27) despite the fact that there is increase in consumer base , increase in minimum wages, fuel expenses (4-5% every year) etc.

There is drastic reduction in provisional billing from 38.4% during FY 2019-20 to 2.43% at the end of FY 2024-25. Further OCR based meter reading has increased from 55% to 92% at the end of FY 2024-25. Both these initiatives has resulted into reduction in billing related consumer complaints, improved Billing & Collection efficiency and control on manipulation of meter readings.

c. Benefits from improvement: It is submitted that all benefits from improvement will finally be passed on to consumers as per provisions of the regulatory framework.

It is pertinent to mention here that retail supply tariff has remained stable despite increase in BSP almost every year (from Rs. 2.61 / unit at time of take over to Rs. 3.15 in FY 2025-26 (i.e. 21% hike). It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for 'Allied-Agro Industrial Activities' in FY-24 and **10 Paise per kWh reduction** in Energy Charges for LT Domestic Consumers (all Slabs). Reduction of **Rs. 10 in** Monthly Fixed Charges for Kutirjyoti Consumers (From **Rs. 80 per month to Rs. 70 per month in FY-25).**

d. W.r.t segregation between the CAPEX & OPEX, it is submitted that the Licensee considers only the OPEX items while claiming the A&G expenses. Any CAPEX related costs are taken into consideration in the CAPEX DPR filed before the Hon'ble Commission. All expenditures booked are duly audited and approved by the independent auditors and by the Board.

e. W.r.t to items towards reduction in A&G cost to be spelled out, it is respectfully submitted that the petitioner is making continuous efforts for reduction in A&G Cost. TPCODL is optimizing its cost as a result the Customer related activities (incl. Metering, Billing and Collections) have remained at same level for both FY 2025-26 and FY 2026-27 (Rs. 141 Cr for FY 2025-26 and Rs. 140 Cr for FY 2026-27) despite the fact that there is increase in consumer base , increase in minimum wages, fuel expenses (4-5% every year) etc.

7. ***Provision for Bad & Doubtful Debts***

Response:

It is submitted that the Licensee has considered/ computed the above costs on normative / projected basis in accordance with the OERC Tariff Regulations, 2022 (i.e 1% of revenue)

8. ***Depreciation***

Response:

The Depreciation has been projected as per the provision of the Tariff Regulations,2022.

9. ***Interest Expenses***

Response:

The interest expenses has been projected as per the provision of the Tariff Regulations,2022. And it is clarified that interest on capital loan computation does not include inherited assets and computed at estimated weighted average rate of loan availed by TPCODL.

10. ***Capital Expenditure***

Response:

TPCODL respectfully submits that the lower capitalisation under Government-funded schemes compared to own CAPEX is mainly due to the implementation structure of such schemes, which involves third-party execution, fund-release milestones, inspections and formal asset handover and reconciliation processes. TPCODL is continuously coordinating with the concerned agencies to expedite verification and transfer of assets for timely capitalisation.

TPCODL further submits that the proposed major CAPEX interventions, including network reinforcement, technology adoption, PTR replacement, and IT systems, are based on system studies, load growth assessment, safety and reliability requirements, and loss-reduction. Further the detailed justification is already provided on our petition of the Capex Plan for FY-27 vide Case No. 77 of 2025. Capitalization and WIP tracking & monitoring are being carried out by the petitioner and also reported to the Hon’ble Commission on quarterly basis.

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11. ***Return on Equity***

Response:

It is submitted that ROE has been computed strictly as per the provision of the Tariff Regulations, 2022. And it is reiterated that it does not include Govt Grant and consumer funded assets.

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17. Reply to Objections/ Suggestions raised by Shri. K. Prabhakar Dora against Case No. 136/2025

1. More consumption less price for Domestic Consumers

Response:

The Hon'ble Commission is guided by the principles of Tariff Policy for setting tariffs for different category of consumers. Relevant extract from section 8.3 of the National Tariff Policy, reproduced hereunder:

" 1. Consumers below poverty line who consume below a specified level, as prescribed in the National Electricity Policy may receive a special support through cross subsidy. Tariffs for such designated group of consumers will be at least 50% of the average cost of supply.

2. For achieving the objective that the tariff progressively reflects the cost of supply of electricity, the Appropriate Commission would notify a roadmap such that tariffs are brought within ±20% of the average cost of supply…"

To support the economically weaker category of consumers, cross subsidization is being followed. The consumers with lower consumption like less than 30 units are having concessional tariff. Similarly, to support the consumers falling under lower consumption slabs, like less than 50 units, 50 to 200 units, lesser rates have been fixed which is gradually increased.

The existing pattern of tariff applicable for domestic and LT GP is to support the lower consumption group /weaker section of the society and ensure power for all.

2. Separate tariff for seasonal Industries

Response:

The concept of 80% demand charges is applicable for consumer HT Industrial and GP consumer having contract demand >100KW, where the licensee has to keep reserve the quantum of load availing by the seasonal consumer. Against the quantum of load kept reserve for consumer remains idle during non-use period, which cannot be allocated to any other consumer. Hence, the consumer has to pay minimum charges towards load kept for his use.

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However, for load less than 70 KVA, there is no concept of 80% demand charges. The consumer has to pay fixed charges/demand charges on the basis of his actual use.

It is pertinent to mention here that the fixed charge in the state is very low as compared to other states. The below table may kindly be referred.

Per unit Fixed Charge (FC) as % of Per unit [Energy Charge (EC)+ Fixed Charge (FC)]													
Category	Odisha	Madhya Pradesh	Uttar Pradesh	Rajasthan	Haryana	Delhi	Maharashtra	Uttarakhand	Punjab	Jharkhand	West Bengal	Bihar	Chhattisgarh
Domestic Category (3kW, 100 Units per month)	16%	17%	34%	33%	32%	33%	18%	40%	34%	14%	18%	10%	14%
Domestic Category (3kW, 500 Units per month)	2%	20%	10%	9%	4%	7%	2%	7%	6%	3%	3%	5%	2%
Non-Domestic Category (5kW, 500 Units per month)	4%	19%	38%	8%	23%	23%	10%	13%	9%	20%	9%	26%	7%
Agriculture Category (7.5kW 15% LF, 817 Units per month)	7%	14%	30%	6%	27%	43%	12%	0%	0%	9%	9%	15%	19%
Small Industrial Category (10kW 20% LF, 1460 Units per month)	4%	25%	21%	14%	0%	18%	5%	18%	13%	15%	8%	23%	14%
Medium Industrial Category (50kW 30% LF, 10950 Units per month)	6%	22%	15%	9%	8%	13%	17%	16%	11%	10%	5%	22%	10%
Large Industrial Category (1000kW 40% LF, 365000 Units per month)	12%	28%	10%	9%	8%	8%	18%	20%	12%	16%	16%	18%	12%

Source: REC Report on 'Key Regulatory Parameters of Power Utilities' published on 31st Mar 2024

3. *GRF & Implementation Order*

Response:

Discoms are implementing GRF and Ombudsman Order in true spirit.

4. *Automatic Compensation*

Response:

Automatic compensation is against the principle of natural justice and un-constitutional.

5. *Manpower*

Response:

The Emp Cost growth from FY-25 is provided in table below.

Particular	UoM	FY 2024-25 (Actual)	Estimate for FY 2025-26	Projection for FY 2026-27
Net Emp Cost	Rs. Cr	882	893	965

Growth over PY	%		1%	8%

As can be seen the estimated employee cost for FY 2025-26 is just 1 % above FY 2024-25 and the employee cost for FY-27 is just 8% above FY 2025-26. The FY-27 estimate includes proposal for recruitment of 220 Operation / Distribution Technical Trainee and 70 Officers for which detailed justification has been provided in our petition under Para 22 to 44. Hence 8% escalation is reasonable considering the fact that the cost is governed by the statuary obligations like upward revision in remuneration of employees and increase in minimum wages, etc.

As far as manpower number is concerned it is well within the approved manpower numbers. The Tariff Regulation 2022 , requires O&M cost to be segregated into 3 part i.e Employee Cost, R&M and A&G with different methodology mentioned for each head.

The outsourced manpower is deployed by the contractor for project specific assignments and numbers of which keep on varying depending upon the requirements. The project specific awarding of contracts for jobs like meter reading, billing, collection, customer service, etc. are a regular feature across the country in power distribution business. Therefore, inclusion of such numbers under ratio of employee per 1000 consumers is not correct.

The allegation that the manpower engagement has not resulted into any efficiency is not correct and the organization has been able to achieve excellent performance since takeover which have resulted into following.

1. Stable retail supply tariff. It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for ‘Allied-Agro Industrial Activities’ in FY-24 and 10 Paise per kWh reduction in Energy Charges for LT Domestic Consumers(all Slabs). Reduction of Rs. 10 in Monthly Fixed Charges for Kutirjyoti Consumers (From Rs. 80 per month to Rs. 70 per month in FY-25).

2. “A+” rating under the Integrated Rating of DISCOMs published by the Government of India which include the criteria like billing efficiency, collection efficiency, supply hours, end customer service.

3.Reduction in AT&C loss: 30.44% at time of takeover to 18.94% in FY-25

4. Employee ratio per 1000 consumer has reduced from 1.88 (at Takeover) to 1.41 (FY 2026-27 estimated)

6. Mo Bidyut Application

Response:

At present the Mo Bidyut application provide single phase consumer the option of installing meter under rent or through upfront payment.

7. ***Processing fee for each services as per Regulation***

Response:

The Hon'ble Commission has already approved processing fee for various service in tariff order date 24.03.2025.

8. ***Metering of GP consumer having contract demand less than 70 KVA billed at GP tariff.***

Response:

It is submitted that, the petitioner is operating as per existing regulatory framework and directives of the Hon'ble Commission.

9. ***The Permission/feasibility for prospective consumer***

Response:

The petitioner is following the provision of OERC (Distribution Supply Code, 2019) and other applicable rules and regulations and directives mentioned in the Tariff Orders.

10. ***Load Factor***

Response:

This is a Supply Code issue.

11. ***Security Deposit Accounts***

Response:

The security deposits of consumer are secured and kept in fixed deposit with scheduled bank as per the provisions of Vesting Order. Details of which is being submitted to the Hon'ble commission from time to time.

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Further security deposit of each consumer is also appearing in the respective energy bill of each month.

12. Separate Cold storage Tariff

Response:

Separate category is already available under Allied Agro Industrial Activities category.

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18. Reply to Objections/ Suggestions raised by Shri. Samish Kumar Mohanty against Case No. 136/2025

1. DISCOMs are bound by the Electricity Act and Regulation framed thereunder for their day-to-day operations . They use to work under the guideline issued by OERC / appropriate Authority from time to time.
2. If any new initiative is being implemented, it is the responsibility of the Government and OERC to communicate it clearly and transparently to consumers.
3. DISCOMs should not be blamed for complying with and implementing policies issued by the Government and OERC, as they are bound to act in accordance with regulatory directives.
4. Consumers want to exercise their rights but hardly aware of their responsibility. Without acquiring proper knowledge of the Rules and Regulation in the matter they use to blame the DISCOMs. There is no process of reprimanding the Consumer for their unruly/irresponsible act and behaviour.
5. For last five years DISCOMs have worked extensively in the ground level to improve the energy infrastructure and are discharging their duty in distribution of power.
6. Myself as a consumer can see the difference in terms of unscheduled power failure, attending calls in case of power issue and restoration service in case of natural calamity.

Response:

Discoms are making rigorous efforts to ensure reliable power supply and better customer service as per the provision of regulatory framework.

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19. Reply to Objections/ Suggestions raised by Shri. Bijan Panigrahi against Case No. 136/2025

I am writing to formally express my interest in participating in the upcoming power and transmission–related public hearing with TPCODL, in reference to Case No. 136/2025/600 dated 17.12.2025

I am a power sector professional with over 27 years of experience in the coal sector, having last served as Vice President (Coal Sourcing & Logistics) across various power plants. In this role, I worked closely with multiple DISCOMs, state power generation companies, and other stakeholders, addressing ongoing and emerging operational and sectoral challenges from time to time.

I believe this forum will provide valuable opportunities for knowledge sharing, technical learning, and professional collaboration. Participation in the seminar will further enhance my understanding of current challenges, best practices, and innovations within the power and transmission industry.

I am particularly keen to engage with industry experts, exchange practical insights, and contribute meaningfully to technical discussions based on my experience.

I would be grateful for the opportunity to attend and participate in the seminar or discussions.

Thank you for your time and consideration. I look forward to your positive response.

Response:

Concern and desire raised by the objector does not require response.

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20. Reply to Objections/ Suggestions raised by Shri. Ananda Kumar Mohapatra against Case No. 136/2025

1. Line Network inclusive Meters transferred to TP DISCOMs

Response:

For the performance review of TPCODL held on 04.08.2025 data was submitted as per the prescribed format of the Hon'ble Commission. The record notes are available on the website of the Hon'ble Commission, all Discoms have submitted data as per prescribed format of the Hon'ble Commission only. TPCODL has been maintaining asset class wise and scheme wise list of assets created since takeover which are part of its GFA after duly audited and approved by the Board. The information on asset class wise & scheme wise GFA added since takeover has been submitted to the Hon'ble commission at various points of time including in our ARR and True up applications. Further, certain assets from erstwhile CESU was transferred to TPCODL in the opening balance sheet as on 01.06.2020 through the Carve out order, TPCODL has been submitting the asset class wise GFA status on these assets to the Hon'ble Commission at various points of time including in our ARR and True up applications. Further, erstwhile CESU was not maintaining scheme wise FAR , the same has already been intimated to the Hon'ble Commission. Based on these submission and further prudence check, the Hon'ble Commission has been allowing depreciation , R&M ,interest and other items as provision of existing regulatory framework.

Further, for assets that are not in books of TPCODL but maintained by TPCODL (i.e various Govt. funded assets) data provided by OPTCL and GRIDCO (as they were the implementing agency) has been submitted to the Hon'ble Commission at various point of time .

2. Nothing interest of Tata is seen in Metering & Energy Audit

Response:

In this regard, it is submitted that all metering related works of 11kV feeders & DTRs undertaken by TPCODL are being implemented strictly in accordance with the approvals accorded by the Hon'ble Commission under the respective CAPEX Orders. It is further submitted that metering and energy audit activities are being carried out in a phased and systematic manner. As part of this approach, DTRs of capacity 100 kVA and above are being taken up on priority for metering and energy audit, as these assets have a significant bearing on system loss assessment and network performance. Metering of the remaining distribution transformers and network elements shall be undertaken progressively in subsequent phases, in line with approved CAPEX and implementation schedules. Additionally, TPCODL has undertaken 100% consumer mapping and indexing of its consumer base, which is a critical enabler for effective energy accounting and audit. This initiative ensures accurate linkage of consumers to distribution transformers and feeders, improves data integrity, facilitates precise loss analysis, and supports targeted system strengthening measures. The benefits of this exercise accrue directly to consumers through improved system reliability, transparency, and overall quality of supply.

Benefit of 100% mapping and indexing:

Mapping and Indexing of consumers with the network in GIS helps in various use cases, including:

1. It allows to navigate to the consumer on a map and reach in time efficient manner
2. In case of outages, it helps in analysis and finding out the device that has most probably failed which has led to the consumer being out (using a a GIS based ADMS system)
3. It helps in undertaking Load flow studies for quality and reliability improvement initiatives

3. **Phasing out all DTRs below 63 kVA.**

   Response:

It is submitted that, as per the directives and guidelines issued by the Hon'ble Commission, TPCODL is undertaking systematic upgradation of DTRs as part of its network strengthening and loss reduction initiatives. These upgradations are being carried out in a phased manner under the approved CAPEX plans of the Company. It is further submitted that DTRs below 63 kVA are well-suited for rural habitations, sparsely populated areas, agricultural pockets, and remote villages where connected load and demand density are low. Installing higher-capacity DTRs in such areas would be economically inefficient and may lead to underutilization of assets. Accordingly, lower-rated DTRs are being gradually replaced with higher-capacity transformers based on load growth, system requirements, and technical feasibility. This planned upgradation process will result in the progressive phasing out of DTRs below 63 kVA over a period of time. As per directive of OERC, DTR upgradations are being carried out, which will gradually phase out the lower rated DTRs

4. ***High fatal accidents***

Response:

At the outset, TPC ODL places the highest priority on safety and any incident resulting in fatality is treated with utmost seriousness and concern. In this regard, it is submitted that the Licensee has significantly strengthened its incident reporting and monitoring mechanisms and all safety-related incidents are being reviewed and reported on a monthly basis before the Hon'ble Commission. Further, TPCODL has implemented a comprehensive safety framework covering preventive, corrective and monitoring measures. These include:

a. Periodic skill upgradation and safety training programs for employees and contractor personnel to reinforce safe work practices.
b. Mandatory use of Personal Protective Equipment (PPE) with strict on-site enforcement.
c. Strict implementation of the Work Permit and Line Clearance system to ensure electrical safety during maintenance and operational activities.
d. Deployment of technology-driven monitoring tools, including digital reporting, geo-tagging and supervisory controls to enhance compliance and real-time oversight.
e. Regular field visits, inspections, and safety audits by senior management, aimed at reinforcing safety culture, identifying gaps and ensuring accountability at all levels.

5. ***No format designed by OERC for performance review of DISCOMs***

Response:

In this regard, it is submitted that the Hon'ble Commission has prescribed specific formats and information requirements for various performance reviews (half yearly & annually) and regulatory submissions of Distribution Licensees. Accordingly, TPCODL submits detailed information strictly as per the formats and templates specified by the Hon'ble OERC from time to time.

6. ***Excess Tariff Recovery***

Response:

DISCOMs are charging electricity tariff strictly in accordance with the tariff approved and notified by the Hon'ble Commission for the respective financial years. Tariff determination is a two-stage regulatory process. In the first stage, the tariff for the ensuing financial year is approved by the Commission based on prudent estimates of revenue and expenditure. In the second stage, a “true-up” exercise is undertaken wherein actual revenues and expenses are examined, and any surplus or revenue gap so established is appropriately passed on to consumers in accordance with regulatory frameworks.

7. *Wrong Business mathematics*

Response:

It is submitted that the Hon’ble Commission has set the tariff for FY 2024-25 considering the AT&C loss of 20% as per the AT&C loss trajectory for tariff determination for TPCODL. Further, the Hon’ble Commission has considered normative HT loss at 8%. Based on these parameters the LT Distribution loss and HT+LT Distribution Loss computation is provided in table below.

Sr No	Particular	UoM	Value	Remark
1	Input to EHT	MU	12513	Same as Power Purchase input. AT&C Loss Trajectory for Tariff determination for FY 2024-25 was 20%
2	EHT Sales	MU	2163	
3	EHT Loss	%	0	
4=1 x 3	EHT Loss	MU	0	
5= 1-2-4	Input to HT	MU	10350	
6	HT Sales	MU	2357	
7	HT Loss	%	8	Normative Loss approved by the Hon'ble Commission
8= 6 x7	HT Loss	MU	828	
9=5-6-8	Input to LT	MU	7165	
10	LT Sales	MU	5592	
11=1-(10/9)	LT Distribution Loss	%	21.96%	
12=1-(6+10)/5	HT and LT Distribution Loss	%	23.20%	

It is evident from above table that there is no mathematical error in the computation. This is again corroborated by the fact that the LT Distribution Loss is for calculated for LT network only whereas the LT+HT loss takes into account both HT and LT sales MU that travels through HT & LT network and includes losses of HT and LT network resulting into HT+LT loss being higher than LT loss.

8. *Employee Cost*

Response:

With regards to High employee cost , a comparison is given below on TPCODL Net Employee Cost.

Particular	UoM	FY 2024-25 (Actual)	Estimate for FY 2025-26	Projection for FY 2026-27
Net Emp Cost	Rs. Cr	882	893	965
Growth over PY	%		1%	8%

As can be seen the estimated employee cost for FY 2025-26 is just 1 % above FY 2024-25 and the employee cost for FY-2026-27 is just 8% above FY 2025-26. The FY-2026-27 estimate includes proposal for recruitment of 220 Operation / Distribution Technical Trainee and 70 Officers for which detailed justification has been provided in our petition under Para 22 to 44. Hence 8% escalation is reasonable considering the fact that the cost is governed by the statuary obligations like upward revision in remuneration of employees and increase in minimum wages, etc.

The observation that the employee cost has not resulted into any benefits , it is submitted the employees have delivered high performance thereby achieving excellent organizational performance which has resulted into following.

1. Stable retail supply tariff despite increase in BSP almost every year (from Rs. 2.61 / unit at time of take over to Rs. 3.15 in FY 2025-26 (i.e. 21% hike). It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for 'Allied-Agro Industrial Activities' in FY-24 and **10 Paise per kWh reduction** in Energy Charges for LT Domestic Consumers (all Slabs). Reduction of **Rs. 10 in** Monthly Fixed Charges for Kutirjyoti Consumers (From **Rs. 80 per month to Rs. 70 per month in FY-25).**

2. "A+" rating under the Integrated Rating of DISCOMs published by the Government of India which include the criteria like billing efficiency, collection efficiency, supply hours, end customer service.

3.Reduction in AT&C loss: 30.44% at time of takeover to 18.94% in FY-25

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4. Employee ratio per 1000 consumer has reduced from 1.88 (at Takeover) to 1.41 (FY 2026-27 estimated)

It is submitted that TPCODL has been recruiting manpower strictly as per the approval accorded by the Hon'ble Commission and is well within the approved limit .

The contractual manpower (Business Associates) are not on permanent rolls of TPCODL. These employees are required to take care of the operation and maintenance of the vast geographic spread of TPCODL which is about 30,000 SQKM , to cater to 33 Lakhs consumer base including metering , billing , collection and resolving their grievances ensuring standard of supply as prescribed by the Hon'ble Commission.

9. Excess Tariff Recovery for period FY 2017-18 to FY 2024-25 by TP Discoms

Response:

DISCOMs are charging electricity tariff strictly in accordance with the tariff approved and notified by the Hon'ble Commission for the respective financial years. Tariff determination is a two-stage regulatory process. In the first stage, the tariff for the ensuing financial year is approved by the Commission based on prudent estimates of revenue and expenditure. In the second stage, a "true-up" exercise is undertaken wherein actual revenues and expenses are examined, and any surplus or revenue gap so established is appropriately passed on to consumers in accordance with regulatory frameworks.

10. APERC refunded excess tariff recovery ,why not OERC?

Response:

It is submitted that the refund of Rs. 923.50 Cr. relates to excess collections made by the 3 Andhra Pradesh DISCOMs, namely APSPDCL, APCPDCL and APEPDCL during FY 24–25 under the Fuel and Power Purchase Cost Adjustment (FPPCA) mechanism. The FPPCA is levied to account for variations in fuel and power procurement costs arising primarily due to increases in fuel prices at generating stations.

The Hon'ble APERC, in accordance with the applicable FPPCA regulations, directed the refund of the excess amount, as the regulatory framework explicitly mandates that any surplus recovery under this mechanism shall be returned to consumers.

In the State of Odisha, while enabling provisions for implementation of FPPCA exist within the regulatory framework, the mechanism has not been invoked by GRIDCO or the

DISCOMs. This is on account of the absence of any requirement for such levy, attributable to relatively stable coal prices and comparatively lower coal transportation costs during the relevant period.

11. Illegal Collection of Additional Security Deposit (ASD)

Response:

It is submitted that Security Deposit is a statutory requirement under Section 47 of the Electricity Act, 2003, r/w provisions of the OERC Distribution (Conditions of Supply) Code, 2019. The Security Deposit is intended to secure an amount equivalent to approximately two months' electricity charges, serving as a safeguard against the credit period extended to consumers.

In accordance with Section 47 of the Electricity Act, 2003 and the OERC Supply Code, 2019, DISCOMs are required to undertake an annual review of the Security Deposit for each consumer based on the average electricity consumption during the immediately preceding financial year. Where such review reveals a shortfall or excess in the existing Security Deposit, the differential amount is required to be recovered or adjusted through subsequent electricity bills, as applicable. This annual review mechanism is necessitated by variations in consumption patterns and changes in applicable tariff rates.

Accordingly, the demand raised by the DISCOMs on the basis of electricity consumption for FY 2024-25 has been strictly in compliance with the applicable statutory and regulatory provisions. Periodic review and revision of Security Deposit, as prescribed under the regulations, is essential to safeguard the financial integrity of the distribution business by mitigating recovery risks and is fully aligned with the objectives of the Electricity Act, 2003.

The demand and annual review of Security Deposit is a uniform and well-established practice followed by DISCOMs across the country. The Security Deposit is refundable upon termination of the electricity connection, subject to adjustment of any outstanding dues. It is also pertinent to note that consumers having prepaid meters are exempt from the requirement of furnishing Security Deposit. In view of the above, the demand for additional Security Deposit is legal, justified, and in full conformity with the prevailing statutory and regulatory framework.

12. RST is not increased for last 4 years ,then why ASD?

Response:

The adequacy depends not only on Tariff increase but also on consumption increase, for which the Hon'ble Commission has allowed required provision in the Supply Code,2019

It is submitted that the Discoms are operating strictly as per the provision of the regulatory frameworks.

13. Risk of Revenue loss is 1 month but SD collected for 2 months.

Response:

In Electricity Distribution, there is a credit period of approximately 2 months to the consumers ,that is why the 2 monts requirement of Security Deposit has been prescribed in the Supply Code,2019.

14. Comparison with Other States on Security Deposit (para 2.3 to para 2.8)

Response:

Comparison of few states on cherry picking basis which have no correlation with demography of Odisha will not give the fair picture. Each State have devised different mechanism for Security Deposit based on their demography, economic condition and other state specific parameters.

15. Levy of intra-state transmission charges on CGPs will reduce RST.

Response:

It is submitted that the levy or otherwise of intra-state transmission charges on CGPs is a regulatory and policy matter falling within the jurisdiction of the Hon'ble Commission. Any decision in this regard is required to be taken by the Hon'ble Commission after due consideration of the applicable regulations, sectoral implications and the overall interest of consumers. Accordingly, it is submitted that the Hon'ble Commission may take a prudent and balanced decision on the matter.

We also propose levy of 'Grid Support Charges' on CGP consumers by Discoms which will help maintaining a stable retail supply tariff in the state.

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16. Odisha is the only State in India to provide budgetary support for installation of Smart Meters but why ?.

Response:

It is submitted that as per the prevailing regulatory framework and statutory directives, smart meters are mandated for use in the distribution of electricity to consumers. The requirement for installation of smart meters flows from the following provisions:

a. The Central Electricity Authority (Installation and Operation of Meters) (Amendment) Regulations, 2022.
b. Notification No. CG-DL-E-26052022-236032 dated 26.05.2022 issued by the Ministry of Power, Government of India.
c. Clause 97(iv)(3) of the OERC Distribution (Conditions of Supply) Code, 2019 and
d. The Hon'ble Odisha Electricity Regulatory Commission's letter dated 03.05.2023, which further prescribes prioritization for installation.

In accordance with the above statutory and regulatory directions, installation of smart meters is being undertaken strictly as per the priority order specified by the Hon'ble Commission vide its letter dated 03.05.2023. In addition to priority categories, meters that are found to be tampered, defective, or obsolete, including mechanical meters, are being replaced with smart meters. Replacement of such meters directly with smart meters is a prudent and consumer-centric approach, as it eliminates the need for repeated meter replacements within a short period and thereby avoids any additional financial burden on consumers in the future. This approach is fully aligned with the regulatory mandate and supports the long-term objectives of improved efficiency, accuracy, transparency and reliability in metering and billing.

As per the provisions of the Revamped Distribution Sector Scheme (RDSS), private DISCOMs are not eligible for financial support. Financial assistance under the RDSS is available only to State-owned DISCOMs limited to 15% of the meter cost or ₹900 per meter, whichever is lower, with the remaining 85% of the cost to be borne by consumers. Other important pre conditions are as under:-

a. Smart meters are required to be installed exclusively in prepaid mode. However, in Odisha, consumers have shown limited inclination to opt for prepaid smart metering.

b. The TOTEX (Total Expenditure) model prescribed under RDSS is costlier than the implementation model currently adopted by the Odisha DISCOMs.

Notwithstanding the above constraints, the Government of Odisha pursued the matter with the Government of India seeking consideration of financial support. However, due to policy limitations under RDSS, the request could not be acceded to.

In view of the mandatory regulatory framework for smart metering, and keeping in mind the overall interest of electricity consumers, particularly low-income consumers, the State Government has sanctioned a one-time financial support of ₹735 crore for FY 2025–26.

To further accelerate this transformation journey, active and constructive participation from all stakeholders is essential. Such collaboration will not only protect the interests of all stakeholders but also contribute meaningfully towards sustained economic development of the State.

17. Unlawful act of Tata Power causes distrust among consumers.

Response:

It is submitted that Smart meters are manufactured strictly in accordance with IS 16444, as prescribed by the Bureau of Indian Standards (BIS), Government of India. Prior to commercial production, every smart meter model is required to undergo Type Testing from NABL-accredited laboratories of the Government of India, namely CPRI and ERDA. Post-production, each individual meter is tested by the manufacturer in compliance with the guidelines issued by the Government of India. Further, before installation at consumer premises, meters are again tested by the DISCOMs in their NABL-accredited Meter Testing Laboratories.

Smart meters specifications prescribed under IS 16444 Code does not allow the utility to edit the energy consumption recording. It is completely inaccessible to the utility and it is like a black box. It is a globally accepted tool to ensure accurate billing, reduce power theft, improve service quality, and restore financial health of power sector.

Technically, static meters and smart meters are fundamentally identical in terms of metrological accuracy and core measurement functionality. The only additional feature in a smart meter is the provision for secured bi-directional communication between the meter and the central server, which is logically and electrically isolated from the metering and recording circuitry.

18. Illegal collection of meter rent from consumers who have been given power supply under Govt. grant/ subsidy schemes

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Odisha DISCOMs charges meter rent, tariffs and other charges in accordance with the Retail Supply Tariff (RST) Orders and Supply Code, 2019 as issued by the Hon'ble Commission. The erstwhile power utilities installed the meters in question, and the TP DISCOMS inherited this legacy infrastructure and associated billing processes when they took over the operations. The meters under the Saubhagya and IPDS schemes were installed prior to the current Odisha DISCOMs taking over electricity supply operations in the state. The associated billing processes are part of this inherited legacy.

TP DISCOMs proactively raised this matter with Hon'ble Commission, seeking regulatory guidance to address the inherited anomaly. As per guidance received, all DISOMs stopped charging meter rent to consumers under these specific schemes from 01st April 2024. Also, desired relevant information is shared with the Commission. The rent collected from such government-funded meters has been duly accounted for and again submitted for true-up adjustments, ensuring that all funds are correctly accounted for. The Odisha Discoms are subject to audit by an independent auditor and prudence checks by the Hon'ble Commission.

19. No CAG Audit due to privatization of the Discoms.

Response:

It is submitted that TPCODL functions as a licensed and regulated Distribution Licensee under the provisions of the Electricity Act, 2003 and operates under the regulatory oversight of the Hon’ble Commission. Post-privatization, the statutory audit framework applicable to TPCODL is in accordance with the provisions of the Companies Act, 2013 and other applicable laws.

Accordingly, the Licensee’s accounts are subject to independent statutory audit by auditors appointed as per law and are also reviewed through multiple layers of regulatory scrutiny, including detailed examination during tariff determination proceedings, annual performance reviews and compliance submissions before the Hon’ble Commission. The Hon’ble Commission has the authority to seek information, conduct reviews and issue directions as deemed appropriate.

20. Parallel Metering

Response:

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It is respectfully submitted that replacement of old static meter is carried out as per the priority order directed by the Hon'ble Commission. Additionally, all mechanical, defective, tempered meters are being replaced with Smart Meters otherwise AT&C loss cannot be reduced. Further, Smart meters installed in parallel with old static meters which is defective/ tempered/mechanical meters will always have a difference in energy consumption recording.

21. Truing up for FY 2023-24 and FY 2024-25 – Regulatory Provision .

Response:

It is submitted that the Licensee has filed the truing-up petitions in accordance with the Audited financial statements as well as the Tariff Regulations, 2022. Furthermore, the Licensee goes through prudence check before the Hon'ble Commission w.r.t all the Power Purchase & Distribution cost parameters as & when required.

22. Average Tariff is discarded in True up

Response:

True up is done based on actual data ,where actual revenue and expenditures are trued up and the resultant gap and surplus is considered by the Hon'ble Commission to set approve next year's ARR and tariff.

23. Approved Vs True up Power Purchase cost .

Response:

It is submitted that the Licensee has filed the truing-up petitions strictly in accordance with the Audited financial statements as well as the Tariff Regulations, 2022.

24. Gain /Loss due to AT&C loss

Response:

As per clause 3.14.1 and 3.14.4 of the Vesting Order, any gain or loss arising out of over /under achievement of AT&C loss vis a vis the AT&C loss trajectory provided for tariff determination shall be retained by the Licensee. Accordingly, the loss of Rs. 18.96 Cr for

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FY 2023-24 has been borne by the Discom and gain of Rs. 3.72 Cr for FY 2024-25 has been retained by the Discom.

25. O&M cost and Depreciation

Response:

It is submitted that the Licensee has filed the truing-up petitions strictly in accordance with the Audited financial statements as well as the Tariff Regulations, 2022. Detailed explanation has been provided for each items.

Employee Cost: There were certain additional approval received after Tariff Order, further there was revision in minimum wages. Further, the basis on which employee cost was approved needs to be trued up on actuals.

R&M Cost: The R&M cost was approved in ARR based on estimated GFA , while truing up the actual GFA and actual entitlement of the Discoms needs to be computed and additional expenditure on account of mandatory directives to be factored into. Further uncontrollable factors like revision in minimum wages should be taken into consideration.

A&G Cost: A&G Cost is approved at 7% escalation. The correct base for giving escalation for next year needs to be ascertained. Further uncontrollable factors like revision in minimum wages should be taken into consideration.

Depreciation : Depreciation are approved in ARR based on estimated capitalization and GFA, the actual GFA needs to be taken into account at time of true up.

Further, the observation that the cost has not resulted into any benefits , it is submitted the discom has achieved excellent organizational performance which has resulted into reduction in AT&C loss which have helped keeping the tariff stable.

26. Pre-Vesting period expenditures

Response:

As has been already stated in our True up petition, all Prev-Vesting period expenses including the amount claimed for FY 2023-24 and FY 2024-25 are incurred after obtaining approval of the Hon'ble Commission. Hence these expenditure are allowable to the Discom as per provision of the Vesting Order and Tariff Regulations ,2022.

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27. Provision for Bad Debts

Response:

The claim of the petitioner is as per the provisions of the existing regulatory framework. The Disocm has post-vesting period arrear appearing in its books of accounts.

28. Non Tariff Income (NTI)

Response:

The detailed justification has already been provided in our True up petition (para 229 to 241). The reconciliation table showing approved NTI, booked in accounts and claimed in True up with reasoning for each item has been provided at Table 3-49 and 3-50. The NTI has been claimed strictly as per the provision of the Vesting order and Tariff Regulations, 2022.

29. Interest Income on SD and component of Non Tariff Income (NTI) & Open Access Charges

Response:

All the Non Tariff Income as booked in Audited Accounts has been shown in our True up petition (para 229 to 241, Table 3-49 and 3-50) ensuring all types of Non Tariff Incomes are offered as per Regulations.

Further, GL wise items have been provided at Table- 3-3 (page -73) of our ARR petition for FY 2026-27.

30. ASL

Response:

All ASL related expenses has been incurred after obtaining approval of the Hon’ble Commission. As directed by the Hon’ble Commission in previous Tariff Orders, audit reports have also been submitted. The detailed explanation already provided at para 12 to 18 our petition. The Rs. 331.68 Cr is the net ASL claim and not a surplus as interpreted by the objector.

21. Reply to Objections/ Suggestions raised by M/s. Utkal Chamber of Commerce & Industry Ltd (UCCI) against Case No. 136/2025

1. *Employee Cost*

The total manpower cost and total manpower deployed needs to be assessed by considering the regular and outsourced manpower. Even the metering, billing and collection activities and expenses thereof should be considered under employee cost and not under Administrative & general Expenditure cost.

The ratio of employee per 1000 consumers should be written the limit specified by the Hon'ble OERC (i.e. 1.40) considering total regular and outsourced manpower and the manpower involved in metering, billing and collection activities.

Therefore, the employee cost proposed by all the four DISCOMs for FY2026-27 may kindly be approved after prudence check by the Hon'ble Commission.

Response:

The Emp Cost growth from FY-25 is provided in table below.

Particular	UoM	FY 2024-25 (Actual)	Estimate for FY 2025-26	Projection for FY 2026-27
Net Emp Cost	Rs. Cr	882	893	965
Growth over PY	%		1%	8%

As can be seen the estimated employee cost for FY 2025-26 is just 1 % above FY 2024-25 and the employee cost for FY-27 is just 8% above FY 2025-26. The FY-27 estimate includes proposal for recruitment of 220 Operation / Distribution Technical Trainee and 70 Officers for which detailed justification has been provided in our petition under Para 22 to 44. Hence 8% escalation is reasonable considering the fact that the cost is governed by the statuary obligations like upward revision in remuneration of employees and increase in minimum wages, etc.

As far as manpower number is concerned it is well within the approved manpower numbers. The Tariff Regulation 2022 , requires O&M cost to be segregated into 3 part i.e Employee Cost, R&M and A&G with different methodology mentioned for each head.

The outsourced manpower is deployed by the contractor for project specific assignments and numbers of which keep on varying depending upon the requirements. The project specific awarding of contracts for jobs like meter reading, billing, collection, customer service, etc. are a regular feature across the country in power distribution business. Therefore, inclusion of such numbers under ratio of employee per 1000 consumers is not correct.

2. *Administrative & General Expenses*

The Hon'ble Commission should conduct a prudence check regarding A&G cost for each year and 7% increase over earlier approved A&G cost for FY 2025-26 or actual A&G expenses whichever is lower may be approved for FY 2026-27.

Response:

The Cost booked under A&G is related to works being carried out for license business only. The detailed justification for A&G expenses for FY 2026-27 has been provided under Para 45 – 78 of our ARR petition. In our submission this 7% escalation should be provided on the actual of the current year being taken as base, considering other factors like revision in minimum wages and other uncontrollable factors which have been provided in detailed in our petition considering the zero-based as well as normative approach.

3. *Depreciation Cost*

Response:

Depreciation are approved in ARR based on estimated capitalization and GFA, the actual GFA needs to be taken into account at time of true up. The actual depreciation claimed in True Up for FY 2024-25 is Rs. 136 Cr. Further, as per the directive of the vesting order and Tariff Regulation 2022 , depreciation on inherited assets has been computed at 'Pre-92' rates and depreciation of assets created out of Govt. grant has not been claimed. The detailed justification has been provided under Para 140-150 of our ARR petition.

4. *Provision for Bad & Doubtful*

Response:

The claim of the petitioner is as per the provisions of the existing regulatory framework. The Discom has post-vesting period arrear appearing in its books of accounts.

5. *Repair & Maintenance(R&M) Expenses*

Response:

Approval for additional R&M activities are be asked only for activities that are being undertaken as per mandatory directives (as provided at Table 2-32, Page 45).

The Tariff Regulations 2022, allows R&M on GFA of assets, accordingly the Discoms has claimed the same in its ARR. Further in Tariff Regulation 2022, a declining percentage on GFA for entitlement for R&M has been prescribed by the Hon'ble Commission (4.2 % in FY 2023-24 to 3% for FY 2026-27).

6. ***Revenue Requirement***

Hon'ble Commission to allow Revenue Requirement for FY 2026-27 after scrutinizing and allow only reasonable expense to control tariff

Response:

We have submitted the ARR strictly in provision of Tariff Regulation 2022. The Hon'ble commission will approve the same after prudence check.

7. ***Industrial Tariff for EHT consumers - Industrial Tariff for EHT Consumers-Although EHT loads are contributing significantly to overall reduction of AT&C losses and stability of GRID, the tariff for EHT loads are increasing year over year***

Response:

There is no tariff hike since FY 2022-23.

8. ***Distribution Loss - DISCOMs have themselves admitted that the distribution loss at 33KV and 11KV has been reduced to 3.5% to 4.5%. Hence, Hon'ble OERC should consider normative HT loss at 3%.***

Response:

The HT network consists of 33kV and 11kV network so as per the observation raised by the objector when losses of 33kV and 11kV are added up it comes to 8%, which is in line with the normative loss being approved by the Hon'ble Commission at present.

9. ***Need for consumer category Provision for Mega steel Plant***

Response:

Issues raised by the respected respondent is related to classification of consumer which is a supply code issue and does not come under the current tariff proceeding.

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Our submission is that tariff must be cost reflective and the petitioner is allowed to recover ARR through tariff.

TPCODL acknowledges the importance of Mega Steel Plants in Odisha's industrial landscape and their contribution to the state's economic growth. However, we respectfully submit that the creation of a separate consumer category with differential tariff slabs based on load factor consumption needs to be examined holistically, considering its impact on other consumer categories and the overall revenue requirement of the DISCOMs. The current tariff structure has been designed through a balanced approach that ensures fair treatment across all consumer categories while maintaining the financial viability of the distribution company.

10. Proposal for Load factor Rebate

Response:

The method suggested by the Objector has not been substantiated with any justification for the method of incentive suggested and hence is devoid of any merit. The very motive of providing incentive is to encourage consumers to drawl more power from the incumbent distribution licensee and the tariff setting is done by the Hon’ble Commission keeping in view the entire cross subsidy mechanism and the mandate of the National Electricity Policy and Tariff Policy

11. Open Access and related issues.

Response:

Tariff determination and classification of consumers is the sole prerogative of the Hon’ble Commission. Our only humble submission is that tariff must be cost reflective.

TPCODL respectfully submits that the determination of Cross Subsidy Surcharge (CSS) and amendments to the Open Access Regulations are the sole prerogative of the Hon’ble Commission under the Electricity Act, 2003. The existing OERC Open Access Regulations, 2020 already align tariffs within ±20% of the Average Cost of Supply in accordance with the National Tariff Policy

CSS remains applicable as per Tariff Order dated 25.03.2025, which mandates payment of transmission, wheeling, and CSS for renewable open access equivalent to conventional power, ensuring equitable recovery irrespective of supply disruptions beyond licensee control. No

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regulatory exemption exists for statutory cuts/breakdowns, maintaining grid discipline and financial neutrality.

Requiring annual tentative drawal plans from Open Access applicants aligns with SLDC scheduling protocols and OERC processes for network capacity assessment, preventing grid congestion without contradicting operational flexibility. SLDC/OPTCL real-time approvals complement, rather than replace, this prudent forecasting, as practiced consistently.

As Per OERC Open Access Regulations 2020, Wheeling Charges (and associated distribution losses) do not apply to qualifying dedicated lines under Section 2(16) of the Electricity Act, 2003, as they bypass the distribution network; transmission losses may still apply if OPTCL infrastructure is used.

Charges reflect approved Contract Demand limits for grid stability; excess quantum requires SLDC approval and proportionate loss recovery, incentivizing investments while safeguarding honest consumers from subsidized overuse.

12. Re-introduction of Delayed Payment Surcharge

Response:

There was a tendency among the category of LT Domestic, General Purpose and HT Bulk Supply Domestic etc. consumers negligent towards bill payment once the due date is over as no delayed payment surcharge was applicable. The Domestic and GPS category current billing is more than 90% of total LT billing and compared to total billing these consumers billing is around 46%. Therefore, in order to achieve 100% collection of LT current billing in every month, consumers should proactively pay in time and for which it is requested to introduce DPS for these categories of consumers. The Hon'ble Commission may kindly consider the proposal of the Petitioner.

It is pertinent to mention here that consumers who are defaulting in making payment on or before due date are actually putting financial burden on other consumers due to increased borrowing cost. Therefore, in order to bring equality among all category of consumers for timely payment of electricity bill, this proposal has been put up for kind consideration of the Hon'ble Commission.

The Hon'ble Commission is, therefore, requested to kindly consider re-introducing the DPS for LT Domestic, LT General Purpose and HT Bulk Supply Domestic Consumers. However, the Due Date for the payment can be extended from the normal 7 days to the next due date as made applicable in the past. But for the rebate entitlement 7 days payment may please be retain.

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As of now there is no deterrent for defaulting consumers falling under such category who are not paying their electricity bills on or before due date, despite the fact that a lot of rebate mechanism exist in the Tariff Order. Discoms are putting lot of resources and effort into recovery of electricity dues which ultimately burdening the rest of consumers who are making timely payment to Discom.

In case of disconnection due to non-payment of electricity dues by due date such consumers are tend to illegally restore the supply or indulge in theft of electricity by means of hooking and others illegal practices which jeopardizing the interest of rest of consumers.
Disconnection of electricity due to non-payment requires prior notice for 15 days which again incentivize such consumers not to pay dues on due dates.

In view of above it is once again requested to Hon'ble Commission that mechanism to levy DPS for delay payment of electricity dues must be introduced so that interest of other consumers are protected. Further, incase of cheque bounce the DPS must be levied from the due date to the date till it is cleared apart from other legal action as available as per negotiable Instrument Act shall be scrupulously followed.

***13.* Net Metering, Gross Metering and Other Schemes**

Response:

All required information are being shared with Hon'ble Commission and GRIDCO.

14. OTS Scheme

32. As part of the OTS Scheme 2022 closure process, DISCOM must submit a comprehensive report detailing the arrears collected from different consumer categories under the scheme.

Response:

As per the directions of the Hon'ble Commission in the OTS Scheme orders, the detailed information has been submitted to the Hon'ble Commission.

15. Rebate related issue

Response:

(iv) **Digital Rebate**

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In the Jan 2026, nearly 10 Lakh numbers of consumers have availed 4% digital rebate. The digital rebate has introduced for low end consumer who are not well versed with digital mode. Big consumers are already well versed on digital payment mode. Hence, the suggestion of the objector for extending the digital rebate to other consumers does not have any merit as any type of rebate have impact on ARR and Tariff of the state.

(v) E-Bill

Rs. 10 rebate per month for consumer who opt for e-bill is already existing in the state and we have not proposed for any additional rebate, as remarked by the objector. The details of consumer availed e-bill facility has already been submitted to the Hon'ble Commission as part of our response to ARR query.

(vi) Mega Lift

Our proposal is based on the objective of the flattening the load curve by encouraging solar hour consumption which will benefit the entire state.

16. Summary of Interim Proposal approved vide Order dated 22.07.2025

Response:

Only two customers (2 Nos.) have opted to avail the benefit under this scheme.

As these customers are non CGP and non-Open Access customers, the details are as under:

a. AMRI
b. Safari Retreats

In both the cases revenue has dropped as there was no shift from Non-Solar hour to solar hour, therefore in the view overall consumers of this states, this scheme is not giving benefit to consumers rather giving financial benefit to specific consumers who availed this scheme. That is why this scheme was approved up 31.03.2026 as a pilot project. Discoms are not inclined to agree further for the continuation of this scheme.

17. Special Tariff of Rs. 4.30 per kVah

38. It is further submitted that the special tariff of ₹4.30 per kVAh should be extended to all types of industries, with or without CGP, without any condition of assured consumption or linkage to load factor, so as to ensure non-discriminatory access and effective uptake.

Response:

The response already provides in our response to Point 16.

18. Additional load factor incentive

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

As any rebate has adverse impact on the ARR and hence tariff of the state, hence a reasonable rebate has been proposed by the DISCOM. The rebate asked by the objector is very high.

19. ToD Benefit and Surcharge

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

It is pertinent to mention here that the purpose of ToD surcharge/ incentive is to shift the load curve from Non-Solar Hour to Solar Hours, which is need of the hour and in the overall interest of the Power Sector in the state.

20. Contract Demand related issues

Response:

Tariff determination is the sole prerogative of the Hon'ble Commission. Our only humble submission is that tariff must be cost reflective.

To cater to the demand of the CGP the DISCOMs/OPTCL/GRIDCO has made sufficient investment and capacity tie-up. A guaranteed minimum drawl from CGP will help utilities to plan and manage the supply and demand of the state especially during speak hours and also to maintain grid stability.

Further rational behind this proposal has been provided at Para 272 to 274 of our ARR Petition.

21. Extension for Temporary Supply

Response:

This is a Supply Code related issues.

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22. Details on Green Consumers

44. The DISCOM is requested to specify, with supporting data, the number of industrial consumers having Captive Generating Plants (CGP) and those without CGP who have come forward to avail green power pursuant to the directions issued by the Hon'ble Commission at paragraph 124 of the ARR Approval and RST Order dated 24.03.2025 for FY 2025–26. The details may include consumer category-wise breakup, contracted demand, quantum of green power opted, source of procurement, and the status of implementation, so as to enable proper assessment of compliance with the said direction.

Response:

The detail of the Green Consumer is provided below:

Sl No	Period	No of Consumers Availed Green Energy	Total Green Energy Availed (Mus)
1	FY 24-25	33	32.44
2	FY 25-26 (Till Dec'25)	42	26.99

23. Temporary additional load beyond CD

Response:

We have in our proposal requested the Hon'ble Commission to fix a suitable tariff and not 10% increase in existing demand and energy charges as pointed out by the objector. The detailed explanation is provided under para 237 to 241 of our ARR petition.

24. Reduce CD within Financial Year

Response:

The licensee following the regulation as stipulated in the Supply Code 2019.

25. Allocation of Green Power to industries having CGP through GTP mechanism

Response:

The existing provisions of the allocation of Green Power are sufficient.

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26. Green Tariff for Sale of Renewable Power through DISCOMS

Response:

We have submitted detailed proposal with reasoning for the industries in Para 275 to 281 of our ARR Petition.

27. Bill Revision issue, Extend kVAh billing to LT consumers

Response:

With regards to bill revision for past period the licensee is governed by the Supply Code 2019. We have also proposed this on several occasions including the recent filed petition for one time amnesty scheme for clearance of arrears of pre-vesting period.

Hon'ble Commission is requested to kindly allow us to carry out bill revision beyond 2 years. On kVAh biling to LT consumers detailed justification has been provided in Para 229 to 231 of our ARR petition.

28. Tariff at HT/EHT Level

53. We need to move to the Cost Plus Tariff for Industries connected at HT and EHT level, i.e. the Tariff should be Bulk Supply Price + Transmission Charges + Transmission Loss + Reasonable Margin to DISCOM for EHT and HT Category. Necessary amendment in the Retail Supply Tariff Regulations may kindly be made accordingly.

Response:

Further the fixation of tariff is the sole prerogative of the Hon'ble Commission. The Hon'ble Commission fixes the tariff as per the provision of Tariff Regulation 2022, Tariff Policy and National Electricity Policy

29. Installation of Smart Meter and abolition of Meter Rent

Response:

In compliance to the directive of the Hon'ble commission we have submitted the smart meter installation plan for consumer with CD more than 2 kW for kind consideration of the Hon'ble Commission. The Hon'ble Commission may kindly take suitable decision in this case.

30. Amnesty scheme for clearance of Arrears of Pre-Vesting period.

Response:

A separate petition has been filed in this regard which will be heard by the Hon'ble commission separately however it is submitted that this scheme is related to pre vesting period arrear , the waiver of principal and DPS as proposed in the scheme will not have any tariff impact as pointed out by the objector. Moreover, realization from the scheme will benefit the consumers of the state.

31. ***Providing Connection to Green Hydrogen Projects under separate metering arrangement***

Response:

Connection to green hydrogen project is a new issue in the state for which we have prayed for necessary direction and detailed procedural guidelines under Para 257 – 264 of our ARR Petition.

32. ***Re-structuring of ToD based RST***

Response:

The restructuring of ToD based RST is proposed by TPCODL only for Open Access/ CGP Consumer. The detailed reasoning for this proposal is given at Para. 265 to 271 of our ARR Petition.

The Sole purpose of this proposal is to utilize the low cost power available during the Solar Hour which is being sold by GRIDCO @Rs. 1.5 to 2.0 /kWh

33. ***Charging of leading power factor while billing to EHT Consumers i.e. (Lead+Lag) kVAh Billing***

Response:

A proposal in this matter has been submitted under point 9.18 of our ARR Petition.

34. ***Security Deposit related issue***

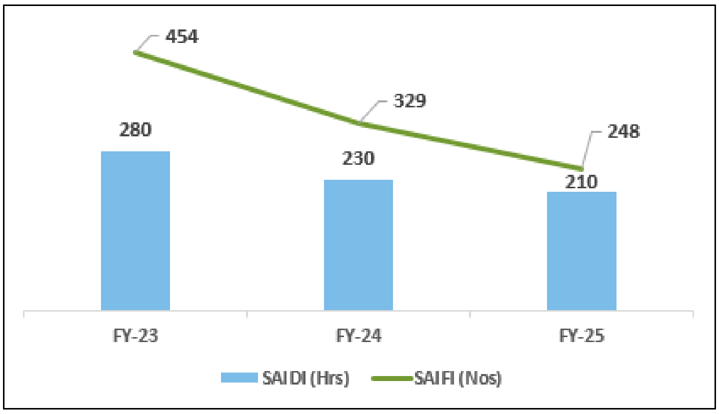
Response:

These are Supply Code matter.

35. **Other Issues**

Response:

(i) Allegation of the Objector regarding increase in power outage during TATA Power tenure is also not correct. Rather power outage during TATA Power tenure is reduced substantially and also decreasing year by year. This can be observed from the SAIDI (System Average Interruption Duration Index) and SAIFI (System Average Interruption Frequency Index) are given in below table.



Through investments and operational enhancements over the last five years, TPCODL has demonstrated a steady improvement in key reliability indices – SAIFI & SAIDI, indicating measurable progress in outage management, preventive maintenance, and overall network strengthening.

As per the report of Consumer Service Rating of DISCOM (CSRD) published by Ministry of Power, Govt. of India for FY 23-24, the Hours of Supply (HoS) reflects the average number of hours electricity is supplied to customers each day. There has been a significant improvement in TPCODL service area with almost 99% availability in Urban areas and 94% in Rural Areas:

No.	Particular	TPCODL	National Average	National Max	National Min
1	Hours of Supply - Urban	23.70	23.53	24.00	21.44
2	Hours of Supply - Rural	22.58	21.57	23.92	15.33
3.	DT Failure Rate	2.90%	6.4%	51%	0%

(ii) The Licensee adheres to the rules and regulation and the provisions of the Act. The licensee will comply to every guideline that will be issued by Hon'ble Commission. Therefore allegation of Ld. Objector that Discoms are invoking Section 126 of the Act to book consumer and disconnections without the issuance of provisional assessments is not correct.

(iii) Licensee never allows any telecom company to lay their cables through the electric poles.

(iv) As per section 135 of the Companies Act, 2013, it is mandatory for the companies to comply with the CSR provisions and are required to spend a minimum of 2% of their net profit over the preceding three years as CSR. Board of TPCODL has formed a CSR Committee which is empowered to direct and approve areas where CSR budget can be spent in order to maximise the benefit to society in Odisha. Need assessment through a structured process, being done to identify the areas of importance and the same is placed before the CSR committee for their perusal and approval. This ensures the channelizing the benefit to the section of society which need CSR. All the CSR expenditure are being placed before the CSR committee meeting and being discussed at length and comparison also done against the approved budget. Impact assessment of the CSR expenditure society is also undertaken. Company has a robust system of procurement to pay process and thereby making every expenditure to undergo a maker and checker process. Also, Company has robust internal audit system being conducted by renowned firm to ensure the reasonableness and governance built around the process and all the expenditure are subjected to their audit scope.

(v) The entire TPCODL geography is highly vulnerable to cyclone-induced damage. As per CEA guidelines, the TPCODL area is classified into three zones based on distance from the coastline: 0–20 km, 21–60 km, and beyond 61 km. The 0–20 km coastal zone is the most cyclone-prone and experiences maximum damage, with wind speeds exceeding 250 kmph during severe cyclone. Accordingly, the CEA Task Force and CDRI reports recommend underground networks for all new network in this zone. Wherever UG implementation is not feasible, overhead networks using steel GI H-poles with reduced span lengths of 30–35 m are recommended. Similarly for 21–60 km zone the network is also vulnerable for damage with cyclone wind speeds exceeding 200 kmph and hence steel GI H-poles are recommended for OH networks in this zone.In areas beyond 61 km, wind speeds during very severe cyclones can exceed 150 kmph . PSC poles arrangement with 11KV & 33KV network can withstand only 130–146 kmph they are not suitable under such cyclonic conditions. To ensure a resilient 33 kV and 11 kV distribution network, UG or GI H-poles are proposed for the 0–20 km zone, GI H-poles for the 21–60 km zone, and GI WPB poles beyond 61 km, based on zone classification and site conditions as per cyclone resilient network guidelines issues by CEA task force report & CDRI .Moreover, in non-coastal areas of the TPCODL network where elephant movement is prevalent the use of steel poles is recommended in place of PSC poles. In line this Department of Energy guidelines

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(2018) ha srecommended to use steel pole in place of PSC pole to enhance safety of Elephant and network reliability.

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22. Reply to Objections/ Suggestions raised by Shri. Ashok Kumar Bhukta against Case No. 136/2025

1. Sales Projections by DISCOMs

> 2) The discoms are proposing sales projection on different category too much to accommodate their expenditure and later on pass through in truing up exercise.

Response:

The energy sales projections for FY 2026–27 are based on a comprehensive assessment of consumer addition, sanctioned and upcoming loads, growth in HT/EHT segments, urbanization, and increasing per-consumer consumption and past year trends. The Hon'ble Commission will approve the sales after prudence check.

It is further submitted that any deviation between the approved and actual sales will be appropriately adjusted during the truing-up process, ensuring regulatory neutrality.

2. Employee Expenditure, R&M Expenditure and A&G Expenditure

> 3) The ARR of all Discoms proposes a unnatural hike in expenditure in employees cost, Repair & maintenance cost and A&G expenditure in excess of the last year approved expenditure. Further power outrages have gone up after TATA power taken over the company. If the gap proposed by the all Discoms is allowed it will increase the cost of unit by Rs 1.00 per unit.

Response:

The Discom has submitted the ARR as per provisions of the Tariff Regulation ,2022 which the Hon'ble Commission will approve after detailed prudence check and public hearing.

The Hon'ble Commission has the sole prerogative in tariff determination and tariff design for the State and will take an appropriate view on the matter. Our only submission is that the tariff should be cost-reflective.

Further, increase in the expenditure would also need to be considered after factoring the increase in assets, number of consumers from 32.06 Lakhs to 33.25 Lakhs, operation of

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customer care centers in all Divisions, Fuse Call Centres in different parts of the licensed Area and also the various activities for providing better consumer services and also provide improved reliability.

TPCODL in the Petition has provided detailed justification for proposed O&M Expenditure. Which the Hon'ble Commission will approve after the prudence check.

3. Provisional Billing and Non-Passing of Rebate

4) Further the bills of consumers are not served and generated on provisional but same time rebate are not passed on to the consumer when the actual bill is generated.

Response:

All rebates are being allowed as per the prevailing Regulations

4. Disconnection of Supply Without Proper Notice

5) In addition to above DISCOMS are disconnecting the power supply without proper notice the same should be stopped immediately. The smart meter is disconnected without proper notice violating OERC directives.

Response:

TPCODL is operating as per the provision of the Supply Code 2019 and existing regulatory framework.

5. Improper Charging of Interest and Lack of Loan Details

6) Further while calculating the interest on Capex loan is charged for the whole year. The detail on loan availed from banks and the rate of interest may be furnished. There is no effort to reengineer and swap high-cost loans availed from bank.

7) The Discoms must give detail financial benefits derived from the Capex plan on account of loss reduction and its impact on tariff.

The Licensee respectfully submits that the details of all Capex loans, including bank-wise sanction terms have already been furnished in the ARR Petition. The relevant extracts from the sanction letters of banks from which loan have been tied up has been provided in the ARR petition at Pages 59–64 under Section 2.12.2: Interest on Capital Loan. Further month wise details of loan drawal and interest rate has been submitted to the Hon'ble Commission as part of response to ARR query.

Further the allegation that interest has been computed for entire year is entirely incorrect as the interest has been computed on average balance for the year after taking into account the repayment for the year (Please refer Table 2-46 ,Page 64 of our ARR petition)

Further, the allegation that capex has not resulted into any loss reduction is not correct as AT&C Loss has reduced to 18.94 % in FY 2024-25 from 30.4% at time of takeover. The loss reduction have heled in keeping the tariff stable . It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for 'Allied-Agro Industrial Activities' in FY-24 and 10 Paise per kWh reduction in Energy Charges for LT Domestic Consumers (all Slabs). Reduction of Rs. 10 in Monthly Fixed Charges for Kutirjyoti Consumers (From Rs. 80 per month to Rs. 70 per month in FY-25).

*6. **Regulation on Shortfall/Excess of Security Deposit***

Response:

In this regard, TPCODL respectfully submits that the provisions related to Security Deposit (SD) are governed entirely by the OERC Distribution (Conditions of Supply) Code, 2019, and the Licensee is bound to strictly comply with these Regulations.

Response:

*7. **Discriminatory Billing Between HT and LT Industrial Consumers***

14) Here we found a discrimination of energy billings between HT & LT industrial consumers with KVAH &KWH respectively though the procurement of energy by the Discoms in BST are being generated in KWH from GRIDCO.

Response:

In this regard, the Licensee respectfully submits that there is no discrimination in billing methodology between HT and LT industrial consumers. The differentiation between kVAh billing for HT/EHT consumers and kWh or kVAh billing for LT consumers is mandated by the Hon'ble OERC and not determined by the Licensee.

8. KVAH Billing

18) This has been understood in your present tariff order 2023 without appropriate justification to the public the above mentioned energy billing KVAH has been allowed to all DISCOMs

Response:

In this regard, the Licensee respectfully submits that the Hon'ble Commission has already provided detailed justification for the introduction and continuation of kVAh billing in its recent Tariff Orders. As stated in Para 294 of the Tariff Order FY 2025-26, the Hon'ble Commission has introduced kVAh billing for HT and EHT consumers since FY 2021-22, noting that this method of billing captures both active and reactive energy drawn by consumers and therefore ensures a more cost-reflective and technically appropriate tariff structure.

Further, in Para 65 of the same Tariff Order, the Hon'ble Commission has reproduced observations from the RST Order (Para 202), explaining that kVAh billing promotes rationalisation of tariff, improves power factor, reduces losses, and enhances system stability and voltage profile.

9. Meter Inspection

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24)As per OERC distribution conditions of supply regulation (111) (iii) periodical inspection is not done by the licensee in specified interval and after years if they are detecting any abnormality after prolonged period, they are issuing notice under sec(126) and Sec(135) without the fault of consumer. Without serving the letter of provisional and final assessment and due acknowledgement from the consumer they are disconnecting power supply. Further in case of reclassification of consumer they are not issuing proper notice under regulation 140 and without giving opportunity they are levying penalty under Sec(126) of which is violation of fundamental right.

The licensee works strictly in accordance with the provisions of the the OERC Distribution (Conditions of Supply) Code, 2020 and the Electricity Act, 2003.

23. Reply to Objections/ Suggestions raised by M/s. OPTCL against Case No. 136/2025

1. ***TPCODL has calculated transmission charges as Rs. 338 Cr @ 25.5 p/u on 13248 MU without considering the direct drawal at 11kV & 33kV distribution networks.***

Response:

As the quantum (36.94 MU) is very negligible and will not have much impact on final calculation we have not considered it for our estimated computation.

The suggestion is noted and will be incorporated in future submissions.

2. ***M/s TPCODL fails to provide load forecasts as per the prescribed format for filing of Long-Term Demand Forecast (LTDF) application since 2018 despite of several follow-ups.***

Response:

LTDF for FY 2026-27 to FY 2035-36 was duly submitted by TPCODL on 29.12.2025, as per the defined guidelines and timelines prescribed under Regulation 3.10(1) of the Odisha Grid Code Regulations, 2015.

Additionally, as suggested by OPTCL, revised submission by all four DISCOMs was done in January 2026. TPCODL resubmitted LTDF database of 19th January 2026 has aptly incorporated the additional IPICOL-identified new HT and EHT consumer data in coordination with all concerned stakeholders and therefore this revised submission may not be construed as delay or non-compliance as same was done to align with specific directives given by OPTCL.

Previous LTDF submission(On 29.04.2024) for FY 2023-24 to FY 2027–28 was delayed majorly due to the consolidation complexity and alignment involved to enable simultaneous submission by all four DISCOMs in the prescribed format shared by OPTCL. The key contributing element towards this was first-time post-transition consolidation of grid-level data after formation of all four TP DISCOMs. Henceforth, associated processes to enable this LTDF submission has been streamlined to ensure timely compliance going forward.

3. ***Collection of Grid Support Charges***

Response:

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Since CGPs are consumers of the Discoms , therefore Discoms only can bill these consumers and levy grid support charges in the electricity bills. Further, across the country Discoms are levying Grid Support Charges. The Hon'ble Commission may decide appropriate methodology in this matter.

4. ***M/s OPTCL has not received any copy of the application from TPCODL for determination of open access charges. It is humbly submitted that the Hon'ble Commission may determine open access charges for EHT networks at the rate to be determined in Case No. 121/2025.***

Response:

TPCODL respectfully submits that copies of the ARR Petition, True Up Petition and Open Access Petition are available on website of TPCODL and the Hon'ble Commission. The same was also notified through public notice published on 20.12.2025.

The Hon'ble Commission may kindly undertake a prudence check and determine cost-reflective open access charges for FY 2026–27 as per existing regulatory framework.

24. Reply to Objections/ Suggestions raised by M/s. Indiano Chrome Private Limited against Case No. 136/2025

1. ***Security Deposit in the Form of Bank Guarantee***

Response:

This is a supply code matter we are governed by the provision of Supply Code 2019 and existing regulatory framework.

2. ***Enhancement of rebates in Electricity Bills***

Response:

Tariff determination and Tariff design is the sole prerogative of the Hon’ble Commission. Our only humble submission is that tariff must be cost reflective. It is submitted that any type of rebate have impact on ARR , and hence on tariff , so rebate has to be devised reasonably with clear objective.

3. ***Reduction in ToD Surcharges & per Unit Charges (Parallal Charges for Peak/Normal/ Solar Hours)***

Response:

ToD surcharge has been introduced by the Hon’ble Commission to flatten the load curve by shifting load to solar hours which is the need of the Hour and will benefit the entire state.

4. ***Reduction in Demand Charges***

Response:

Contrary to view of the objector that demand/fixed charges in the state are very high, it is submitted that fixed charge in Odisha is less as compared to other state. Please refer table below.

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Per unit Fixed Charge (FC) as % of Per unit [Energy Charge (EC)+ Fixed Charge (FC)]													
Category	Odisha	Madhya Pradesh	Uttar Pradesh	Rajasthan	Haryana	Delhi	Maharashtra	Uttarakhand	Punjab	Jharkhand	West Bengal	Bihar	Chhattisgarh
Domestic Category (3kW, 100 Units per month)	16%	17%	34%	33%	32%	33%	18%	40%	34%	14%	18%	10%	14%
Domestic Category (3kW, 500 Units per month)	2%	20%	10%	9%	4%	7%	2%	7%	6%	3%	3%	5%	2%
Non-Domestic Category (5kW, 500 Units per month)	4%	19%	38%	8%	23%	23%	10%	13%	9%	20%	9%	26%	7%
Agriculture Category (7.5kW 15% LF, 817 Units per month)	7%	14%	30%	6%	27%	43%	12%	0%	0%	9%	9%	15%	19%
Small Industrial Category (10kW 20% LF, 1460 Units per month)	4%	25%	21%	14%	0%	18%	5%	18%	13%	15%	8%	23%	14%
Medium Industrial Category (50kW 30% LF, 10950 Units per month)	6%	22%	15%	9%	8%	13%	17%	16%	11%	10%	5%	22%	10%
Large Industrial Category (1000kW 40% LF, 365000 Units per month)	12%	28%	10%	9%	8%	8%	18%	20%	12%	16%	16%	18%	12%

Source: REC Report on 'Key Regulatory Parameters of Power Utilities' published on 31st Mar 2024

5. *Electrical Infrastructure Development Under DISCOM's Scope*

Response:

The Discoms are operating as per the provisions of the Supply Code 2019 and other regulatory frameworks.

6. *Reduction/ Exemption in electricity duties 8% in every month bill.*

Response:

The Hon'ble Commission has the sole prerogative on Tariff determination and Tariff design. Electricity duty is a statutory levy under Odisha Electricity Duty Act, 1961 (as amended) collected by DISCOMs on behalf of State Government and remitted in full—any reduction/exemption requires separate legislative amendment outside ARR/tariff proceedings.

7. *Elimination of Average Billing During low Consumption Period*

Response:

The Discoms are operating as per the provisions of the Supply Code 2019 and other regulatory frameworks.

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25. Reply to Objections/ Suggestions raised by Shri. Ali Kishore Patnaik against Case No. 136/2025

1. The ARR of all Discom proposes an exuberant in expenditure in employees' cost, Repair & maintenance cost and A&G expenditure.

Response:

TPCODL is submitting its ARR strictly as per the provision of the Tariff Regulation 2022, which are also being Trued Up by the Hon'ble Commission after prudence check and public hearing. The allegation that Tata Power is spending lavishly shifting the entire burden to the consumers is not correct as on account of better performance of the Discom the tariff in the state has remained stable and there has not been any increase since FY 2022-23. It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for 'Allied-Agro Industrial Activities' in FY-24 and 10 Paise per kWh reduction in Energy Charges for LT Domestic Consumers (all Slabs). Reduction of Rs. 10 in Monthly Fixed Charges for Kutirjyoti Consumers (From Rs. 80 per month to Rs. 70 per month in FY-25).

The Discom has achieved "A+" rating under the Integrated Rating of DISCOMs published by the Government of India which include the criteria like billing efficiency, collection efficiency, supply hours, end customer service.

Reduction in AT&C loss: 30.44% at time of takeover to 18.94% in FY-25

2. Frequent Power Outage

Response:

Every expenditure is supported with detailed backup calculation and proper justification, which will be reviewed by Hon'ble commission as per Regulatory principles before being allowed in the tariff order.

Allegation of the Objector regarding increase in power outage during TATA Power tenure is also not correct. Rather power outage during TATA Power tenure is reduced substantially and also decreasing year by year. This can be observed from the SAIDI (System Average Interruption Duration Index) and SAIFI (System Average Interruption Frequency Index) are given in below table.

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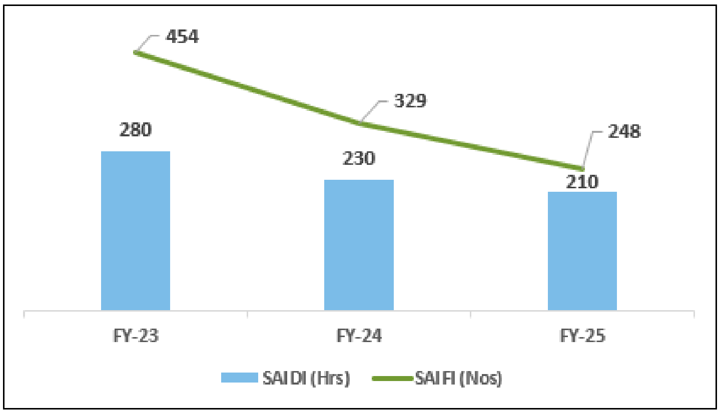

The above tables clearly show that the interruption in power is reducing gradually year by year thus increasing the power availability.

Through investments and operational enhancements over the last five years, TPCODL has demonstrated a steady improvement in key reliability indices – SAIFI & SAIDI, indicating measurable progress in outage management, preventive maintenance, and overall network strengthening.

As per the report of Consumer Service Rating of DISCOM (CSRD) published by Ministry of Power, Govt. of India for FY 23-24, the Hours of Supply (HoS) reflects the average number of hours electricity is supplied to customers each day. There has been a significant improvement in TPCODL service area with almost 99% availability in Urban areas and 94% in Rural Areas:

No.	Particular	TPCODL	National Average	National Max	National Min
1	Hours of Supply - Urban	23.70	23.53	24.00	21.44
2	Hours of Supply - Rural	22.58	21.57	23.92	15.33
3.	DT Failure Rate	2.90%	6.4%	51%	0%

3. ***During the TATA Power Distribution days frequent 'Power Outage' is on daily basis. In total, more than 45 days i.e. 1,080 Hrs an year, consumers are deprived of power supply. But no discount is allowed in the bill. On the other hand on monthly basis meter rent and fixed rate is charged without power supply. All the Licensees are required to provide all technical information of line break down, periodical scheduled/unscheduled outages etc. in a prescribed format by uploading in the respective Web Sites of licensee's and Govt. is not followed.***

Response:

TPCODL submits that the allegation of frequent daily power outages is generalized and not supported by verified system reliability data. The licensee continuously undertakes preventive maintenance, fault rectification and network strengthening works to minimize interruptions and improve supply reliability.

It is further submitted that fixed charges and meter rent are levied strictly as per the applicable Tariff Orders to recover fixed network costs, irrespective of actual consumption. TPCODL follows OERC regulations on outage reporting and communicates scheduled and major outages through prescribed channels.

4. ***No audit of financial management of Discoms by CAG***

Response:

It is submitted that TPCODL functions as a licensed and regulated Distribution Licensee under the provisions of the Electricity Act, 2003 and operates under the regulatory oversight of the Hon'ble Commission. Post-privatization, the statutory audit framework applicable to TPCODL is in accordance with the provisions of the Companies Act, 2013 and other applicable laws.

Accordingly, the Licensee's accounts are subject to independent statutory audit by auditors appointed as per law and are also reviewed through multiple layers of regulatory scrutiny, including detailed examination during tariff determination proceedings, annual performance reviews and compliance submissions before the Hon'ble Commission. The Hon'ble Commission has the authority to seek information, conduct reviews and issue directions as deemed appropriate.

5. ***The present rate of interest on fixed deposits are around 6% but the consumer is charged 18% for non-payment of bills.***

Response:

DPS, Interest on Security Deposits and rebate are being allowed as per the prevailing regulations.

6. **DISCOMs are disconnecting the power supply without proper notice and the same should be stopped immediately. The smart meter is disconnected without proper notice violating OERC directives.**

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Response:

Disconnection is being done as per the regulations.

7. **Discom shall give the detail financial benefits derived from the Capex Plan on account of loss reduction and its impact on tariff.**

Response:

The detailed capex plan along with Detailed Project Report are furnished before the Hon’ble Commission each year as per provision of Vesting Order of licensee and OERC (Terms and Condition for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022. Accordingly, Hon’ble Commission hears it in Public Hearing and issues the order by way of analyzing the inputs from all stakeholders.

Benefits derived from the Capex Plan has been provided for all proposal in our Capex Plan FY-27 petition. Following are the benefits accrued to the consumer out of the capex undertaken in past period.

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Table 1: Impact of CAPEX on Operational Performance

Sl. No	Parameters	UoM	At Takeover	FY25
1	Sales	Mus	6271	9692
2	Revenue	Rs. Cr	3060	5891
3	Consumer Count	lakhs	26.93	33.25
4	Consumer Load	MW	5328	7252
5	Peak Load	MW	1590	2234
6	AT&C Loss	%	30.4	18.9
7	HT Technical Loss	%	8.4	6.4
8	33kV Ring Connectivity	%	36	71
9	11kV Ring Connectivity	%	30	44
10	Overloaded 33kV Feeders	Nos.	19	Nil
11	Overloaded 11kV Feeders	Nos.	62	Nil
12	33kV Feeders	Nos.	182	262
13	33kV Line	Ckm	3845	4265
14	11kV Feeders	Nos.	974	1377
15	PSS	Nos.	232	374
16	STS Capacity	MVA	3869	5479
17	DTR Capacity	MVA	4832	5406
18	LT AB Cable	Ckm	32511	37673
19	SCADA integrated PSS	Nos.	0	250
20	33kV Feeder>30 Ckt. Km	Nos.	54	45
21	11kV Feeder>50 Ckt. Km	Nos.	191	99
22	DTR Failure Rate	%	8	2.7
23	SAIDI (Interruption)	Hrs	291(FY21)	146
24	SAIFI (Interruption)	Nos.	416 (FY21)	225

Because of this capital investment, the operational efficiency of TPCODL increased significantly helping in better cash flow, lead to timely payment to GRIDCO, OPTCL, Loan repayments and salary, wages and vendor payments.

8. **Exuberant rise in A&G**

Response:

TPCODL is submitting its ARR strictly as per the provision of the Tariff Regulation 2022, which are also being Trued Up by the Hon'ble Commission after prudence check and public hearing. The allegation that Tata Power is spending lavishly shifting the entire burden to the consumers is not correct as on account of better performance of the Discom the tariff in the state has remained stable and there has not been any increase since FY 2022-23. It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for 'Allied-Agro Industrial Activities' in FY-24 and 10 Paise per kWh reduction in Energy Charges for

LT Domestic Consumers (all Slabs). Reduction of Rs. 10 in Monthly Fixed Charges for Kutirjyoti Consumers (From Rs. 80 per month to Rs. 70 per month in FY-25).

The Discom has achieved "A+" rating under the Integrated Rating of DISCOMs published by the Government of India which include the criteria like billing efficiency, collection efficiency, supply hours, end customer service.

Reduction in AT&C loss: 30.44% at time of takeover to 18.94% in FY-25

9. **Interest on security deposit may be increased, as 6.5% is too low and company is enjoying around 7.5% interest on the security deposit lying with company in case of security deposit and hence it must be increased.**

Response:

The interest on security deposit is allowed by Hon'ble Commission under the provision of OERC Distribution (Conditions of Supply) Code, 2019. Interest earn on Fixed Deposit of security Deposit are being passed on to the Consumer under NTI in ARR. Hence the allegation that the company is enjoying 7.5% interest is incorrect.

10. **Why the poor consumers of Odisha will bear the capital cost or meter rent.**

Response:

In power distribution business which is highly regulated cost has to be borne by the consumer. To reduce the financial burden on low-end consumer the Govt of Odisha has already provided a one-time support of Rs. 735 Cr.

11. **There should be no tariff hike.**

Response:

The Hon'ble Commission has the sole prerogative in tariff determination and tariff design for the State and will take an appropriate view on the matter. Our only submission is that the tariff should be cost-reflective.

12. ***NTI such as rebate to consumer, supervision charges, over drawl penalty and DPS should be passed on to consumers in full instead of 1/3rd proposed by DISCOMs.***

Response:

Petitioner is following the provisions of Tariff Regulations 2022, prescribe by the Hon'ble Commission. The items mentioned in the query are 100% passed on under NTI in the ARR.

13. Revenue Gap

Response:

In this regard, the Licensee respectfully submits that the revenue gap proposed for FY 2026-27 has been computed strictly in accordance with the OERC Tariff Regulations, 2022

14. *R&M Cost*

Response:

TPCODL respectfully submits that the Repair & Maintenance (R&M) expenses projected for FY 2026–27 have been computed strictly in line with the provisions of the OERC Tariff Regulations, 2022, based on the approved Gross Fixed Assets (GFA) and assets maintained by TPCODL.

15. Levy of DPS to Domestic and GP

Response:

The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

16. Revision of Reconnection charges with penalty clause

Response:

Cost incurred by the petitioner on reconnection charges should not be socialized and it should be recovered from the specific consumer who has defaulted in payment of electricity bills. Further these charges has been revised by the Hon'ble Commission while issuing tariff order for FY 2025-26 which should continue till further revision.

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TPCODL

26. Reply to Objections/ Suggestions raised by M/s. Saraswati Educational & Charitable Trust against Case No. 136/2025

1. ***Consumer Database***

5. The Licensee has failed to develop and maintain a robust and comprehensive consumer database capturing essential particulars such as growth in the number of consumers, consumption patterns, category-wise and area-wise losses, historical electricity demand, and anticipated demand growth in subsequent years. This constitutes a violation of Regulation 5.3.4 of the Wheeling and Retail Supply Tariff Regulations, 2022. Owing to the absence of reliable and granular data, the sale forecasting exercise could not be carried out in a scientific and accurate manner by the Hon'ble Commission, thereby impairing effective tariff determination and regulatory oversight. It is therefore prayed before the Hon'ble Commission that the Licensee be directed to comply strictly with the said Regulation and put in place a validated, auditable, and continuously updated consumer data management system.

Response:

It is submitted that the Discom are functioning in strict accordance as per the provisions of the Supply Code 2019 and other regulatory framework.

2. ***Consumer Database***

   DISCOM should present a detailed sales estimate for each consumer classification to Hon'ble OERC for approval. DISCOM has only provided voltage –wise sales which violates Regulation 5.3.4 of OERC Wheeling &RST Regulations, 2022.

Response:

The energy sales projections for FY 2026–27 are based on a comprehensive assessment of consumer addition, sanctioned and upcoming loads, growth in HT/EHT segments, urbanization, and increasing per-consumer consumption and past year trends not on short-term growth observed during Apr–Sep FY 2025–26. Partial-year data does not capture seasonality, demand, or the impact of new connections and load ramp-up and therefore cannot be the sole basis for annual projections. It is pertinent to mention here that if we compare the actual sale data of LT Consumer of FY 2023-24 compared with FY 2024-25 the growth is around is 13% and similar trend is observe in pervious period.

3. ***DPS on LT Domestic, LT GPS and HT Bulk Supply consumers should not be permitted***

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Response:

There was a tendency among the category of LT Domestic, General Purpose and HT Bulk Supply Domestic etc. consumers negligent towards bill payment once the due date is over as no delayed payment surcharge was applicable. The Domestic and GPS category current billing is more than 90% of total LT billing and compared to total billing these consumers billing is around 46%. Therefore, in order to achieve 100% collection of LT current billing in every month, consumers should proactively pay in time and for which it is requested to introduce DPS for these categories of consumers. The Hon'ble Commission may kindly consider the proposal of the Petitioner.

It is pertinent to mention here that consumers who are defaulting in making payment on or before due date are actually putting financial burden on other consumers due to increased borrowing cost. Therefore, in order to bring equality among all category of consumers for timely payment of electricity bill, this proposal has been put up for kind consideration of the Hon'ble Commission.

The Hon'ble Commission is, therefore, requested to kindly consider re-introducing the DPS for LT Domestic, LT General Purpose and HT Bulk Supply Domestic Consumers. However, the Due Date for the payment can be extended from the normal 7 days to the next due date as made applicable in the past. But for the rebate entitlement 7 days payment may please be retain.

As of now there is no deterrent for defaulting consumers falling under such category who are not paying their electricity bills on or before due date, despite the fact that a lot of rebate mechanism exist in the Tariff Order. Discoms are putting lot of resources and effort into recovery of electricity dues which ultimately burdening the rest of consumers who are making timely payment to Discom.

In case of disconnection due to non-payment of electricity dues by due date such consumers are tend to illegally restore the supply or indulge in theft of electricity by means of hooking and others illegal practices which jeopardizing the interest of rest of consumers.
Disconnection of electricity due to non-payment requires prior notice for 15 days which again incentivize such consumers not to pay dues on due dates.

In view of above it is once again requested to Hon'ble Commission that mechanism to levy DPS for delay payment of electricity dues must be introduced so that interest of other consumers are protected. Further, incase of cheque bounce the DPS must be levied from the due date to the date till it is cleared apart from other legal action as available as per negotiable Instrument Act shall be scrupulously followed.

4. ***Digital Rebate***

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Response:

In the Jan 2026, nearly 10 Lakh numbers of consumers have availed 4% digital rebate. The digital rebate has introduced for low end consumer who are not well versed with digital mode. Big consumers are already well versed on digital payment mode. Hence, the suggestion of the objector for extending the digital rebate to other consumers does not have any merit as any type of rebate have impact on ARR and Tariff of the state.

5. Additional rebate for E-Bill

9. DISCOMs proposed for an additional rebate of Rs. 10/- per month to consumers who opted for E-bill as well as consumers having smart meters with a request for mandating the provision of E-mail. An additional rebate of Rs. 10/- per month may be allowed if consumers opt for E-bill.

Response:

Rs. 10 rebate per month for consumer who opt for e-bill is already existing in the state and we have not proposed for any additional rebate, as remarked by the objector. The details of consumer availed e-bill facility has already been submitted to the Hon'ble Commission as part of our response to ARR query.

6. Reconnection charges

Response:

Cost incurred by the petitioner on reconnection charges should not be socialized and it should be recovered from the specific consumer who has defaulted in payment of electricity bills. Further these charges has been revised by the Hon'ble Commission while issuing tariff order for FY 2025-26 which should continue till further revision.

7. Service connection charges

12. The charges levied by DISCOMs for service connection charges for three phase connections which seems to be at a higher side hence should be reviewed & reduced if applicable.

Response:

Any review or rationalisation of service connection charges falls within the jurisdiction of the Hon'ble Commission. TPCODL shall levy charges as approved and shall comply with any directions issued by the Hon'ble Commission.

8. Mandatory E-Bill

Response:

We have submitted detailed proposal with reasoning in Para 296 to 300 of our ARR Petition.

9. Illegal Charging

16. It may be noted that Hon'ble Commission in last tariff order for FY 2024-25 at para 239 has amply clarified that power supply to any dwelling unit utilized solely for residential purpose shall be classified under Domestic Category. However DISCOM is not obeying the same and collect excess tariff by illegally charging them at General Purpose tariff along with interest and also initiate a suo-motu proceedings against TPCODL under section 142 of Electricity Act 2003.

Response:

It is submitted that the Discom are functioning in strict accordance as per the provisions of the Supply Code 2019 and other regulatory framework

10. Social Media based Grievence

21. There are numbers of dissatisfied consumers who are facing problems in service issues and sharing the same in social media. It is proposed that the licensee may put their best efforts in attending their grievances on social platforms as far as possible. Social media-based Grievance Handling can be initiated. Social media is one platform to be utilized for grievance handling as well. Consumer Satisfaction and Consumer Grievances needs to be handled with care for a DISCOM to achieve the success.

Response:

TPCODL is already actively addressing consumer grievances through multiple social-media platforms such as Facebook, Twitter and Instagram. Dedicated teams are deployed to monitor, acknowledge and resolve consumer issues posted online in a time-bound manner.

11. Telecom Operators

23. It has come to our attention whether major telecom operators such as AIRTEL, JIO, BSNL, or any other are compensating DISCOM for the use of their assets. To address this concern, it is crucial for DISCOM to establish and enforce safety protocols and Standard Operating Procedures (SOP) for the installation of telecom cables, ensuring the integrity of the power infrastructure. Moreover, any rent collected from these telecom operators for utilizing DISCOM assets should be systematically adjusted in the Annual Revenue Requirement (ARR), contributing to a more balanced and mutually beneficial arrangement. This not only fosters a secure operational environment but also ensures fair compensation for the shared use of essential infrastructure.

Response:

Licensee never allows any telecom company to lay their cables through the electric poles.

12. Invoking of Section 126

Response:

The Licensee adheres to the rules and regulation and the provisions of the Act. The licensee will comply to every guideline that will be issued by Hon'ble Commission. Therefore allegation of Ld. Objector that Discoms are invoking Section 126 of the Act to book consumer and disconnections without the issuance of provisional assessments is not correct.

13. CSR Activities

Response:

As per section 135 of the Companies Act, 2013, it is mandatory for the companies to comply with the CSR provisions and are required to spend a minimum of 2% of their net profit over the preceding three years as CSR. Board of TPCODL has formed a CSR Committee which is empowered to direct and approve areas where CSR budget can be spent in order to maximise the benefit to society in Odisha. Need assessment through a structured process, being done to identify the areas of importance and the same is placed before the CSR committee for their perusal and approval. This ensures the channelizing the benefit to the section of society which need CSR. All the CSR expenditure are being placed before the CSR committee meeting and being discussed at length and comparison also done against the approved budget. Impact assessment of the CSR expenditure society is also undertaken. Company has a robust system of procurement to pay process and thereby making every expenditure to undergo a maker and checker process. Also, Company has robust internal audit system being conducted by renowned firm to ensure the reasonableness and governance built around

14. Amnesty Scheme

Response:

A separate petition has been filed in this regard which will be heard by the Hon'ble commission separately however it is submitted that this scheme is related to pre vesting period arrear , the waiver of principal and DPS as proposed in the scheme will not have any tariff impact as pointed out by the objector. Moreover, realization from the scheme will benefit the consumers of the state.

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27. Reply to Objections/ Suggestions raised by Shri. Prasanna Kumar Chhotray against Case No. 136/2025

1. **The ARR of all Discom proposes an exuberant in expenditure in employees' cost, Repair & maintenance cost and A&G expenditure, frequent Power Outages**

Response:

TPCODL is submitting its ARR strictly as per the provision of the Tariff Regulation 2022, which are also being Trued Up by the Hon'ble Commission after prudence check and public hearing. The allegation that Tata Power is spending lavishly shifting the entire burden to the consumers is not correct as on account of better performance of the Discom the tariff in the state has remained stable and there has not been any increase since FY 2022-23. It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for 'Allied-Agro Industrial Activities' in FY-24 and 10 Paise per kWh reduction in Energy Charges for LT Domestic Consumers (all Slabs). Reduction of Rs. 10 in Monthly Fixed Charges for Kutirjyoti Consumers (From Rs. 80 per month to Rs. 70 per month in FY-25).

The Discom has achieved "A+" rating under the Integrated Rating of DISCOMs published by the Government of India which include the criteria like billing efficiency, collection efficiency, supply hours, end customer service.

Reduction in AT&C loss: 30.44% at time of takeover to 18.94% in FY-25

2. **Frequent Power Outage**

Response:

Every expenditure is supported with detailed backup calculation and proper justification, which will be reviewed by Hon'ble commission as per Regulatory principles before being allowed in the tariff order.

Allegation of the Objector regarding increase in power outage during TATA Power tenure is also not correct. Rather power outage during TATA Power tenure is reduced substantially and also decreasing year by year. This can be observed from the SAIDI (System Average Interruption Duration Index) and SAIFI (System Average Interruption Frequency Index) are given in below table.

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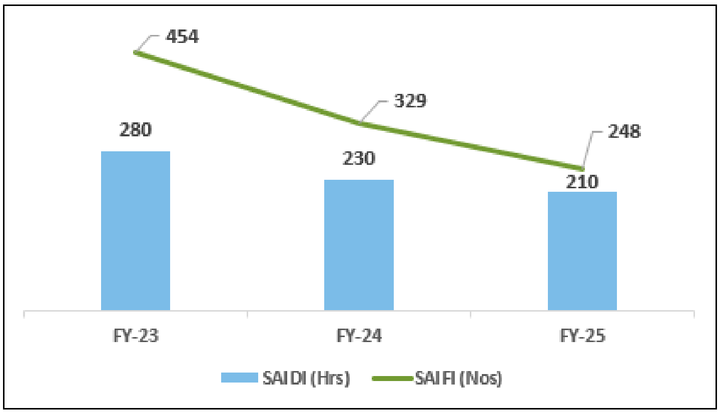

The above tables clearly show that the interruption in power is reducing gradually year by year thus increasing the power availability.

Through investments and operational enhancements over the last five years, TPCODL has demonstrated a steady improvement in key reliability indices – SAIFI & SAIDI, indicating measurable progress in outage management, preventive maintenance, and overall network strengthening.

As per the report of Consumer Service Rating of DISCOM (CSRD) published by Ministry of Power, Govt. of India for FY 23-24, the Hours of Supply (HoS) reflects the average number of hours electricity is supplied to customers each day. There has been a significant improvement in TPCODL service area with almost 99% availability in Urban areas and 94% in Rural Areas:

No.	Particular	TPCODL	National Average	National Max	National Min
1	Hours of Supply - Urban	23.70	23.53	24.00	21.44
2	Hours of Supply - Rural	22.58	21.57	23.92	15.33
3.	DT Failure Rate	2.90%	6.4%	51%	0%

3. ***The present rate of interest on fixed deposits are around 6% but the consumer is charged 18% for non-payment of bills.***

Response:

DPS, Interest on Security Deposits and rebate are being allowed as per the prevailing regulations.

4. **DISCOMs are disconnecting the power supply without proper notice and the same should be stopped immediately. The smart meter is disconnected without proper notice violating OERC directives.**

Response:

Disconnection is being done as per the regulations.

5. **Discom shall give the detail financial benefits derived from the Capex Plan on account of loss reduction and its impact on tariff.**

Response:

The detailed capex plan along with Detailed Project Report are furnished before the Hon'ble Commission each year as per provision of Vesting Order of licensee and OERC (Terms and Condition for Determination of Wheeling Tariff and Retail Supply Tariff) Regulation, 2022. Accordingly, Hon'ble Commission hears it in Public Hearing and issues the order by way of analyzing the inputs from all stakeholders.

Benefits derived from the Capex Plan has been provided for all proposal in our Capex Plan FY-27 petition. Following are the benefits accrued to the consumer out of the capex undertaken in past period.

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Table 1: Impact of CAPEX on Operational Performance

Sl. No	Parameters	UoM	At Takeover	FY25
1	Sales	Mus	6271	9692
2	Revenue	Rs. Cr	3060	5891
3	Consumer Count	lakhs	26.93	33.25
4	Consumer Load	MW	5328	7252
5	Peak Load	MW	1590	2234
6	AT&C Loss	%	30.4	18.9
7	HT Technical Loss	%	8.4	6.4
8	33kV Ring Connectivity	%	36	71
9	11kV Ring Connectivity	%	30	44
10	Overloaded 33kV Feeders	Nos.	19	Nil
11	Overloaded 11kV Feeders	Nos.	62	Nil
12	33kV Feeders	Nos.	182	262
13	33kV Line	Ckm	3845	4265
14	11kV Feeders	Nos.	974	1377
15	PSS	Nos.	232	374
16	STS Capacity	MVA	3869	5479
17	DTR Capacity	MVA	4832	5406
18	LT AB Cable	Ckm	32511	37673
19	SCADA integrated PSS	Nos.	0	250
20	33kV Feeder>30 Ckt. Km	Nos.	54	45
21	11kV Feeder>50 Ckt. Km	Nos.	191	99
22	DTR Failure Rate	%	8	2.7
23	SAIDI (Interruption)	Hrs	291(FY21)	146
24	SAIFI (Interruption)	Nos.	416 (FY21)	225

Because of this capital investment, the operational efficiency of TPCODL increased significantly helping in better cash flow, lead to timely payment to GRIDCO, OPTCL, Loan repayments and salary, wages and vendor payments.

6. **The Companies has proposed exuberant rise in A&G which need to be scrutinised by the Commission.**

Response:

TPCODL is submitting its ARR strictly as per the provision of the Tariff Regulation 2022, which are also being Trued Up by the Hon'ble Commission after prudence check and public hearing. The allegation that Tata Power is spending lavishly shifting the entire burden to the consumers is not correct as on account of better performance of the Discom the tariff in the state has

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remained stable and there has not been any increase since FY 2022-23. It is worthwhile to mention that the retail supply tariff for some category has even reduced (Rs. 1.60 per unit for 'Allied-Agro Industrial Activities' in FY-24 and 10 Paise per kWh reduction in Energy Charges for LT Domestic Consumers (all Slabs). Reduction of Rs. 10 in Monthly Fixed Charges for Kutirjyoti Consumers (From Rs. 80 per month to Rs. 70 per month in FY-25).

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7. **The interest on security deposit may be increased, as 6.5% is too low and company is enjoying around 7.5% interest on the security deposit laying with company.**

Response:

The interest on security deposit is allowed by Hon'ble Commission under the provision of OERC Distribution (Conditions of Supply) Code, 2019. Interest earn on Fixed Deposit of security Deposit are being passed on to the Consumer under NTI in ARR. Hence the allegation that the company is enjoying 7.5% interest is incorrect.

8. **Security Deposit**

Response:

This is a supply code matter.

9. **Rebate**

8) Unlike domestic and commercial consumers other consumers may be provided with suitable digital rebate.

Response:

The following rebates are also being extended to the consumers of Odisha:

1. **Prompt Payment Rebate:**

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a) A rebate of **10 paise/unit** shall be allowed on Energy Charges if the payment of the bill (excluding all arrears) is made by the due date indicated in the bill in respect of the following categories of Consumers.

LT: Domestic, General purpose <110 KVA, Irrigation Pumping and Agriculture, Allied Agricultural Activities and LT Industrial (S), Public Water Works and Sewerage Pumping.

HT: Bulk supply Domestic, Irrigation Pumping and Agriculture, Allied Agricultural Activities, General purpose >70 & <110 KVA, Public Water Works and Sewerage Pumping.

b) Consumers other than those mentioned at Para 'a' above shall be entitled to a rebate of **1% (one percent) of the amount of the monthly bill** (excluding all arrears), if payment is made within 3 working days of presentation of the bill.

2. **Hostels attached to the Schools recognised and run by SC/ST Department, Government of Odisha** shall get a **rebate of Rs.2.40 per unit in Energy Charge under Specified Public Purpose category (LT / HT)** which shall be over and above the normal rebate for which they are eligible.

3. **All Swajala Dhara Consumers under Public Water Works and Sewerage Pumping Installation category** shall get **special rebate @10% on the energy consumption** over and above normal rebate, if electricity bills are paid within due date.

4. **The rural LT domestic** Consumers who draw their power through **correct meter and pay the bill in time** shall get **rebate of 10 paise per unit** over and above other existing rebate for prompt payment.

5. **4% rebate** shall be allowed on the bill to **the LT domestic and single-phase General Purpose (GP) category of Consumers** only over and above all other rebates, **if such Consumer pays the entire amount of the bill through digital mode on or before due date**. Such Consumers who pays the entire bill on or before the due date at any other outlet like Jan Seva Kendra, OCAC etc. are eligible for this rebate.

6. All the Consumers opting to avail **e-bill will get discount of Rs. 10.00 per bill**. This rebate will be in addition to all other rebates the Consumer is otherwise eligible.

7. LT Industrial (S) and LT Industrial (M) Supply Consumers shall avail a **rebate of 10 paisa per unit for all the units consumed**, if their monthly operating load factor is **more than 40% and Bill is paid within due date**.

8. **4% rebate** shall be allowed to all **pre-paid Consumers on pre-paid amount**.

9. A **Special rebate to the LT single** phase Consumers in addition to any other rebate, he is otherwise eligible, shall be allowed at the end of the financial year (the bill for the month of March), if he has **paid the bill for all the 12 months of the financial year consistently without fail within due date during the relevant financial year.** The amount of rebate shall be equal to the rebate of the month of March for timely payment of bill.

10. The Educational Institution (**Specified Public Purpose category Consumers**) including **attached hostel and / or residential colony**, who draw power through a **single HT meter**, shall be eligible to be billed at the **rate of 15% of their energy drawal under HT bulk supply domestic category**.

11. The **Mega Lift Consumers** (who are using electricity for irrigation purpose and not covered under irrigation pumping and agriculture category of the Regulation) connected either to HT or EHT system shall be treated as GP Consumers and **shall not pay any demand charges and shall get an additional rebate of Rs.2 per unit (kVAh) on the respective Energy Charges.**

12. **ToD Rebate:** All the Consumers provided with **Smart Meters/ AMR Compliant meters having CD > 10 KW,** except Irrigation, Pumping & Agricultural Consumers, are eligible to get a **ToD rebate of 20 paise/unit on Energy Charge during Solar Hours**.

10. Why the poor consumers of Odisha will bear the capital cost or meter rent.

Response:

In power distribution business which is highly regulated cost has to be borne by the consumer. To reduce the financial burden on low-end consumer the Govt of Odisha has already provided a one-time support of Rs. 735 Cr.

11. There should be no tariff hike.

Response:

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The Hon’ble Commission has the sole prerogative in tariff determination and tariff design for the State and will take an appropriate view on the matter. Our only submission is that the tariff should be cost-reflective.

12. Non-tariff income such as rebate to the consumer, supervision charges, over drawl penalty & DPS should be passed on the consumer in full instead of 1/3rd proposed by all Discoms.

Response:

Petitioner is following the provisions of Tariff Regulations 2022, prescribe by the Hon’ble Commission. The items mentioned in the query are 100% passed on under NTI in the ARR.

13. The current revenue gap proposed by Discoms has to be examined. The income tax and RoE has not separately shown in the proposed gap.

Response:

In this regard, the Licensee respectfully submits that the revenue gap proposed for FY 2026-27 has been computed strictly in accordance with the OERC Tariff Regulations, 2022

14. DPS to Domestic and GP Consumers

Response:

The justification behind other tariff rationalization measures have been elaborated in the application of the applicant.

15. Smart Meter Projects by Govt. of India

Response:

Odisha Discoms are not entitled to get support under RDSS schemes as per the policy of Govt of India. However, the Govt. of Odisha has provided one-time support of RS. 735 Cr for smart meters which will benefit the low-end consumers.