

CE/Comm/CP/CSS / **33296**

Date: **07.12.2013.**

COMMERCIAL CIRCULAR NO. 216.

Sub: - Regarding revised Cross Subsidy Surcharge (CSS) applicable for Open Access consumer with effect from 1st September 2013 upto 28th February 2014.

Ref: - 1. MERC order dated 9th September 2011 (Case No. 43 of 2010).
2. MERC order dated 21st February 2013 (Case No. 138 of 2012).
3. MERC clarificatory order dated 23rd May 2013 (Case No. 48 and 50 of 2013).
4. **MERC order dated 29th October 2013 (Case No. 107 of 2013).**

Preamble:-

Open Access is one of the most important features of the Electricity Act 2003, wherein, Distribution Companies and eligible consumers have the freedom to buy electricity directly from generating companies or Trading Licensees of their choice and correspondingly the generating companies have the freedom to sell to any Licensee or to any eligible consumer. As per EA 2003, Open Access may be allowed on payment of Cross Subsidy Surcharge as may be determined by the State Commission.

The Commission vide order dated 9th September 2011 (Case No. 43 of 2010) de novo determined the Cross Subsidy Surcharge and Stand by charges for Open Access consumer in the state of Maharashtra. Subsequently, the Commission vide order dated 21st February 2013 re-determined the CSS on the basis of MSEDCL tariff order dated 16th August 2012 (Case No. 19 of 2012) for all consumers in licence area of MSEDCL, who opt for Open Access. Thereafter, a clarificatory order was issued on dated 23rd May 2013 (Case No. 48 and 50 of 2013) regarding applicability of CSS for Renewable Energy.

The Commission vide Order dated 5th September 2013 (Case No. 95 of 2013) permitted MSEDCL to recover supplementary charges from MSEDCL consumers towards payment of dues of MSPGCL & MSETCL. This resulted in increase in Average Billing rate of the consumer. Therefore, MSEDCL filed a petition with Case No. 107 of 2013 seeking re-determination of CSS. The Commission vide order dated 29th October 2013 (Case No. 107 of 2013) has re-determined the CSS to be payable by the open access consumers in the licence area of MSEDCL.

Applicability of the Order:-

The revised CSS as determined vide MERC order dated 29th October 2013 (Case No. 107 of 2013) shall be applicable with effect from 1st September 2013 upto 28th February 2014 to all consumers (existing as well as new Open Access consumers) in licence area of MSEDCL, who opt for Open Access, under the MERC (Distribution Open Access) Regulations, 2005 as amended from time to time except Captive open access Consumers.

However, the CSS at 25% of the revised CSS is payable by the open access consumers sourcing power from renewable sources of energy.

The guidelines for implementation of the said order of the Commission are as under:


1. Applicable CSS for Open Access (OA) Consumers of MSEDCL effective from 1st September 2013 upto 28th February 2014:-

CSS for HT Consumers (Rs. Per unit):-

Consumer Category	EHV Consumers (66kV & above)	HT Consumers (33kV)	HT Consumers (22/11 kV)
Industry			
Express Feeder	2.75	2.30	1.65
Non-Express Feeder	2.26	1.82	1.16
Seasonal Industry	4.13	3.69	3.03
Commercial			
Express Feeder	7.22	6.77	6.12
Non-Express Feeder	6.51	6.06	5.41
Railways	2.90	2.45	1.80
Public Water Works			
Express Feeder	0.30	-	-
Non-Express Feeder	0.51	0.07	-
Agriculture	-	-	-
Bulk Supply			
Residential Complex	0.18	-	-
Commercial Complex	0.20	-	-
HT-IX Public Services			
Express Feeder	4.65	4.21	3.55
Non-Express Feeder	4.01	3.57	2.91

- 2. Applicable Charges and Losses :-** The Commercial Circular No. 174 dated 05.09.2012 and Circular No. 198 dated 12.06.2013 may be referred for the applicable charges and losses.
- 3.** The **revised CSS** shall be applicable to all consumers (existing as well as new Open Access consumers) in licence area of MSEDCL, who opt for Open Access, under the MERC (Distribution Open Access) Regulations, 2005 except Captive Open Access Consumers **with effect from 1st September 2013 upto 28th February 2014**. However, the CSS at 25% of the revised CSS is payable by the open access consumers sourcing power from renewable sources of energy.
- 4.** After 28th February 2014, the CSS as specified in the earlier Commercial Circular No. 190 dated 14.03.2013 and Commercial Circular No. 199 dated 25.06.2013 shall continue to be operative from 1st March 2014 unless revised by MERC vide its orders issued from time to time.

All the field officers are requested to take necessary action accordingly.


Chief Engineer (Commercial)

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