

**Maharashtra Electricity Regulatory Commission (Terms and Conditions of Tariff)  
(Amendment) Regulations, 2011**

ELECTRICITY ACT, 2003

No. MERC / LEG / SUO/ 2710/ 2074 - In exercise of the powers conferred by Section 181 of the Electricity Act, 2003 (36 of 2003), and all other powers enabling it in this behalf, the Maharashtra Electricity Regulatory Commission (MERC) hereby makes the following amendments to MERC (Terms and Conditions of Tariff) Regulations, 2005 :-

**1. Short title and commencement: —**

- (1) These amendments may be called the Maharashtra Electricity Regulatory Commission (Terms and Conditions of Tariff) (Amendment) Regulations, 2011.
- (2) These amendments shall come into force on the date of their notification in the Official Gazette.

**2. Amendment of Regulation 82 of Maharashtra Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2005 (hereinafter referred to as “Tariff Regulations”)**

(i) For Regulation 82.6 of Tariff Regulations, the following Regulation shall be substituted:

“82.6 The monthly FAC charges of a particular tariff category/sub-category/consumption slab shall not exceed 10% of the variable component of tariff of that tariff category/sub-category/consumption slab, or such other ceiling as may be stipulated by the Commission from time to time.

Provided that any excess in the FAC charge over the above ceiling shall be carried forward by the Distribution Licensee and shall be recovered over such future period as may be directed by the Commission.

Provided further that in case of un-metered consumers, ceiling of FAC charges shall be calculated by multiplying the ceiling of FAC charges of metered sub-category by the ratio of Average Billing Rate (ABR) of respective un-metered sub-category to ABR of metered sub-category within the same tariff category.

(ii) For Regulation 82.10 of Tariff Regulations, the following Regulation shall be substituted:

“82.10. Calculation of FAC per kWh for a particular tariff category/sub-category/consumption slab shall be as per the following formula:

$$FAC_{Cat \text{ Rs/kWh}} = (FAC / (\text{Metered sales} + \text{Unmetered consumption estimates} + \text{Excess distribution losses})) * K * 10$$

Where:

$FAC_{Cat}$  = FAC for a particular tariff category/sub-category/consumption slab in ‘Rupees per kWh’ terms.

$$K = (\text{Energy Charge}) / (\text{ACOS})$$

Where,

Energy Charge = Energy Charge for a particular tariff category / sub-category/consumption slab under consideration in ‘Rupees per kWh’ as approved by the Commission in Tariff Order.

ACOS = Average Cost of Supply in ‘Rupees per kWh’ as approved for recovery by the Commission in Tariff Order.

By the Order of the Commission

Mumbai  
28<sup>th</sup> January 2011

(K. N. Khawarey)  
Secretary, MERC