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BIHAR ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

The 31st October, 2025

Bihar Electricity Regulatory Commission (Fees, Fines and Charges) (1st Amendment) Regulations, 2025

No. BERC-SMP-30/2025-05—In exercise of powers conferred on it by sub-section (1) of section 181 read with clause (g) of sub-section (1) of section 86 of the Electricity Act, 2003 and all powers enabling it in this behalf, the Bihar Electricity Regulatory Commission hereby makes the following regulations to amend the Bihar Electricity Regulatory Commission (Fee, Fines and Charges) Regulations, 2019 issued under notification no. BERC-SMP-13/19-03 dated 24th September, 2019 and published in Bihar Gazette Extraordinary (No. Patna 1098) dated 26th September, 2019.

1. Short title and commencement:—

- (i) These Regulation may be called the Bihar Electricity Regulatory Commission (Fees, Fines and Charges) (1st Amendment) Regulations, 2025.
- (ii) These Regulations extend to the whole of the State of Bihar.
- (iii) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment in Regulation 2 –

Regulation 2(d) of Bihar Electricity Regulatory Commission (Fee, Fines and Charges) Regulations, 2019 are substituted by the following :-

“Energy proposed to be handled” :- The energy proposed to be handled by the Distribution Licensee shall mean the total energy proposed to be purchased by the Distribution Licensee excluding losses in the inter-state and intra-state transmission and sale in U.I. but shall include purchase in U.I. as proposed in the ARR.”

3. Amendments in the Schedule appended to the principal Regulations: -

- (i) In the Schedule appended to the principal Regulations, following are substituted, namely:

Sl. No.	Nature of petition / application	Fee
1	(b) Non-conventional & Renewable Sources of Energy, including co-generation	Rs. 20,000 (Rs. Twenty Thousand) for the first one MW and thereafter @ Rs. 5,000 (Rs. Five Thousand) for each additional MW or part thereof.
2	Determination of tariff for transmission of electricity under the provisions of clause (b) of sub-section (1) of Section 62 of the Act	
(a)	Determination of tariff for transmission of electricity under the provisions of clause (b) of sub-section (1) of Section 62 of the Act	Rs. 25,00,000 (Rs. Twenty Five Lakh).
(b)	Determination of Fees & Charges of SLDC	Rs. 5,00,000 (Rs. Five Lakh).
4	Determination of tariff for retail sale of electricity under the provisions of clause (d) of sub-section (1) of Section 62 of the Act	One paisa for each 20 kwh [Energy proposed to be handled as defined in 2 (d)] Minimum Rs. 5,00,000 (Rs. Five Lakh) and Maximum Rs. 1,25,00,000 (One Crore Twenty Five Lakh).
7	<u>Review of Tariff Order of Company</u>	
(a)	Distribution / Transmission Licensee.	Rs. 4,00,000 (Rs. Four Lakh).
(b)	Generating Company (ies)	
(i)	Conventional fuel based (coal, gas, oil etc.) plant.	Rs. 4,00,000 (Rs. Four Lakh).
(ii)	Renewable energy based plant including co-generation.	Rs.30,000 (Rs. Thirty Thousand).
(c)	Review as Tariff order of SLDC	Rs. 2,00,000 (Rs. Two Lakh).
8	Approval/Adoption of price/tariff for Power Purchase or procurement process by distribution licensee (short term, medium term and long term basis) including Power Purchase Agreement (PPA)/Power Supply Agreement (PSA):	
(a)	Conventional:	
(i)	Long Term/Medium Term	Minimum Rs. 15,00,000 (Rs. Fifteen Lakh) upto 100 MW and thereafter @ Rs. 4,000 (Four Thousand) for each additional MW or part thereof.
(ii)	Short Term	Minimum Rs. 7,50,000 (Rs. Seven Lakh Fifty Thousand) upto 100 MW and thereafter @ Rs. 2,000 (Two Thousand) for each additional MW or part thereof.
(b)	Non Conventional:	
(i)	Long Term/Medium Term (Without Energy Storage System)	Rs. 2,00,000 (Rs. Two Lakh) upto 50 MW and thereafter @ Rs. 1500 (Rs. One Thousand Five Hundred) for each additional MW or part thereof.
(ii)	Long term/Medium Term (Energy Storage System)	Rs. 50,000 (Rs. Fifty Thousand) upto 100 MWh and thereafter @ Rs. 1500 (Rs. One Thousand Five Hundred) per MWh.

Sl. No.	Nature of petition / application	Fee
(iii)	Long Term/Medium Term (RE With Energy Storage System)	Fee for 8(b)(i) and 8(b)(ii) both shall be payable.
(iv)	Short Term	Rs. 25,000 (Rs. Twenty Five Thousand) upto 10 MW and thereafter @ Rs.2,000 (Two Thousand) for each additional MW or part thereof.
9	Approval of proposal for deviation in guidelines for Tariff based on competitive bidding:	
(a)	Conventional source of power	Rs. 3,00,000 (Rs. Three Lakh).
(b)	Non-Conventional source of power	Rs. 1,50,000 (Rs. One Lakh Fifty Thousand).
11	Application for approval of the schedule of charges of a Distribution Licensee under Section 45 and Section 46 of the Act	Rs. 1,00,000/- (One Lakh).
12	Application for adjudication of disputes under the provisions of the Act:	
(i)	made by a Licensee or by a Generating Company, other than a Generating Company referred to in (ii) below;	Conventional fuel-based (coal, gas, oil, etc.) Generation Plant, Hydro Power Plant (above 25 MW), and/or a Licensee: Rs. 6,00,000/- (Six Lakh). Non-conventional or Renewable Energy Plant, including Co-Generation Plant: Rs. 2,00,000 (Two Lakh).
(ii)	made by a person owning a Captive Generating plant;	Rs. 1,00,000/- (One Lakh).
(iii)	made by a consumer or a consumer representative	Rs. 25,000/- (Twenty Five Thousand).
14	Appeal against the decision of a Chief Electrical Inspector or an Electrical Inspector	Deleted.
17	Application for review or reconsideration of any order of the Commission not covered elsewhere in these Regulations, or review of any order on grounds of clerical error/ mistake	Rs. 20,000 (Rs. Twenty Thousand).
20	Any other petition/Application:	
(a)	By utility/licensee/deemed licensee/ person granted exemption from licence	(a) Rs. 30,000 (Rs. Thirty Thousand).
(b)	By Institution/ Organisation / Company other than (a) above	(b) Rs. 15,000 (Rs. Fifteen Thousand).
(c)	By Consumer Groups registered with appropriate Govt.	(c) Rs. 5,000 (Rs. Five Thousand).
21	Annual licence fee for a licensee / deemed licensee under Section 14 of the Act:	
(a)	For Transmission of Electricity	Rs. 1,40,00,000 (Rs. One Crore Forty Lakh).
(b)	For Distribution of Energy	Rs. 1,40,00,000 (Rs. One Crore Forty Lakh).
22	Petition / Application for approval of FPPCA or Truing up of FPPCA for one year	Rs. 6,00,000 (Rs. Six Lakh).
23	Review petition for FPPCA order	Rs. 1,00,000 (Rs. One Lakh).

Sl. No.	Nature of petition / application	Fee
24	Petition for approval of capital investment work/scheme (CAPEX) of the licensee:	
(i)	CAPEX plan other than Emergent nature	Rs. 5,00,000 (Rs. Five Lakh).
(ii)	Emergent Nature work	Rs. 1,00,000 (Rs. One Lakh).
30	Petition for amendment of any Regulations/ code and connected matters specified under sections 43 to 48, 50, 55 and 56 excluding those required as a result of State Govt. directives.	By Licensee - Rs. 40,000 (Rs. Forty Thousand). By Consumer Association- Rs. 5,000 (Rs. Five Thousand). By Individual consumer – Rs. 1,000 (Rs. One Thousand).
34	Application fee for grant of electricity licence under section 15 of Electricity Act, 2003	Deleted.
37	Other matter not covered above/in this schedule	As may be decided by the Commission.

(ii) After serial 35 of the Schedule appended to the principal regulations, the following are inserted, namely:—

Sl. No.	Nature of petition / application	Fee
36	Addendum to Schedule: Resource Adequacy plan: (i) Long Term Resource Adequacy Plan including rolling annual plan/procurement plan (ii) Short term Resource Adequacy Plan including annual plan/procurement plan	 Rs. 15,00,000 (Rs. Fifteen Lakh). Rs. 4,00,000 (Rs. Four Lakh).

**By order of the Commission,
Sd-Illegible,
Secretary, BERC.**

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