

APPENDIX-IX: EXECUTIVE SUMMARY

TRUE-UP FOR FY 2024-25, ANNUAL PERFORMANCE REVIEW (APR) FOR FY 2025-26 AND AGGREGATE REVENUE REQUIREMENT (ARR) AND TARIFF FOR FY 2026-27

1 TRUE-UP FOR FY 2024-25

1.1 Background

- 1.1.1 NIDP Developers Pvt. Ltd. (“NIDP” or “the Petitioner”), holding Distribution Licence No. 1 of 2023 for the Data Centre Park area at Plot No. 7, Knowledge Park-V, Greater Noida, was been granted distribution licence by the Hon’ble Commission to the Petitioner vide Order No. 1951 of 2023 dated 19 June 2023 and the Petitioner has commenced its distribution operations on 4th April 2024.
- 1.1.2 As this is the first operational year and covers only **7 months**, True-up has been prepared in accordance with **Regulation 6.1 of MYT Regulations, 2019**, based on audited accounts duly segregated for Distribution Business.
- 1.1.3 The Hon’ble Commission vide its order dated 19.03.2025 allowed the prayer of the Petitioner and grants an extension of one year for filing of the tariff petition. Further, with respect to the tariff, the Hon’ble Commission stated that the tariff approved for NPCL for FY 2025-26 shall act as a ceiling tariff for the consumers of Data Centers also and the energy charges shall be reduced by Rs. 0.10/kVAh. However, Other directions in Order dated 9 February 2024 shall continue to operate.
- 1.1.4 The said instant petition is the first petition being filed by the Petitioner post the commencement of the distribution business as the Hon’ble Commission has granted an extension of one year of filing of MYT Petition vide Case No. 2171 of 2024. Hence, there is no ARR approved for the said period.

1.2 Summary of True-up

- 1.2.1 The Petitioner has submitted detailed justification regarding Sales, Energy Balance, Distribution Losses, Power Purchase Cost, O&M Expenses, CAPEX and Capitalisation, Interest, Depreciation, Taxes, Return on Equity, Non-Tariff Income and Revenue Gap in the instant petition.
- 1.2.2 The summary of Energy Balance and ARR / Revenue Gap is given in Table below for kind consideration of the Hon’ble Commission

Table 1: Summary of True-up of ARR of FY 2024-25

Particulars	Unit	Amount
Energy Balance		
Power Purchase or Energy Available at Discom Periphery	MU	38.26
Sale of Power	MU	37.54
Distribution Loss	%	1.87%
ARR Summary		
Power Purchase Expenses for the Year	Rs. Cr.	23.97
Transmission Charges	Rs. Cr.	0.94
Net Employee cost (Incl. Retiral Benefits)	Rs. Cr.	-

Particulars	Unit	Amount
A&G expenses	Rs. Cr.	3.12
R&M expenses	Rs. Cr.	-
Interest Charges	Rs. Cr.	2.67
Depreciation	Rs. Cr.	1.63
Taxes (Income Tax & MAT)	Rs. Cr.	-
Provision for Bad & Doubtful Debts	Rs. Cr.	-
Contingency Reserve	Rs. Cr.	-
Return on Equity	Rs. Cr.	1.66
Annual Revenue Requirement	Rs. Cr.	33.99
Less: Revenue from Existing Tariff	Rs. Cr.	29.90
Less: Revenue from Open Access Charges	Rs. Cr.	-
Less: Non-Tariff Income	Rs. Cr.	0.24
Revenue Gap / (Surplus)	Rs. Cr.	3.84
Revenue Gap / (Surplus) from Previous Year	Rs. Cr.	-
Carrying Cost Rate	Rs. Cr.	11.38%
Carrying Cost of Regulatory Asset	Rs. Cr.	0.22
Total Revenue Gap / (Surplus) carried forward	Rs. Cr.	4.06

1.2.3 The True-up details are included in the Petition with audited accounts.

2 Annual Performance Review of FY 2025-26

2.1 Prepared under MYT Regulations, 2025

2.1.1 This is the first APR filed under **Regulation 7** of the MYT Regulations, 2025. As no ARR was previously approved (due to one-year extension granted by the Hon'ble Commission), APR is based on actual performance till date and projections for the remaining period, whereby the details of the same are provided in the relevant section.

2.2 Summary of APR

2.2.1 The detailed justification / explanation has been provided inter-alia on Sales, Energy Balance & Distribution Losses, Power Purchase Quantum & Cost, O&M Expenses, Interest & Finance Charges, Provisions for Bad Debts, Income Tax, Return on Equity, Non-Tariff Income, Revenue Gap in the instant Petition.

2.2.2 The summary of Energy Balance and ARR / Revenue Gap is given in Table below for kind consideration of the Hon'ble Commission:

Table 2: Summary of APR of FY 2025-26

Particulars	Unit	Amount
Energy Balance		
Power Purchase or Energy Available at Discom Periphery	MU	61.77
Sale of Power	MU	61.16
Distribution Loss	%	0.99%
ARR Summary		
Power Purchase Expenses for the Year	Rs. Cr.	34.81
Transmission Charges	Rs. Cr.	0.23
Net Employee cost (Incl. Retiral Benefits)	Rs. Cr.	-
A&G expenses	Rs. Cr.	3.23
R&M expenses	Rs. Cr.	1.85

Particulars	Unit	Amount
Interest Charges	Rs. Cr.	2.88
Depreciation	Rs. Cr.	1.90
Taxes (Income Tax & MAT)	Rs. Cr.	-
Provision for Bad & Doubtful Debts	Rs. Cr.	-
Contingency Reserve	Rs. Cr.	-
Return on Equity	Rs. Cr.	1.66
Annual Revenue Requirement	Rs. Cr.	46.55
Less: Revenue from Existing Tariff	Rs. Cr.	41.67
Less: Revenue from Open Access Charges	Rs. Cr.	-
Less: Non-Tariff Income	Rs. Cr.	0.24
Revenue Gap / (Surplus)	Rs. Cr.	4.63
Revenue Gap / (Surplus) from Previous Year	Rs. Cr.	4.06
Carrying Cost Rate	Rs. Cr.	10.75%
Carrying Cost of Regulatory Asset	Rs. Cr.	0.69
Total Revenue Gap / (Surplus) carried forward	Rs. Cr.	9.38

3 AGGREGATE REVENUE REQUIREMENT (ARR) AND TARIFF FOR FY 2026-27

3.1 Regulatory Framework

- 3.1.1 The Hon'ble Commission has now issued the UPERC (Multi Year Tariff for Distribution) Regulations, 2025 (hereinafter referred to as the "MYT Regulations, 2025") for the Control Period from FY 2025-26 to FY 2029-30 on 26.03.2025
- 3.1.2 The ARR/Tariff for FY 2026-27 has been prepared under **Regulation 8 of the MYT Regulations, 2025**, covering Sales Forecast, Power Procurement Plan, Loss Trajectory, Capex Plan, O&M Norms and other ARR components.

3.2 Key Assumptions and Principles

- **Sales Forecast:** Based on sales projection provided by the Data Centre consumers.
- **Distribution Loss:** Maintained at **0.99%**, aligned with network efficiency and metering accuracy as well as equivalent to loss estimated of FY 2025-26.
- **Power Procurement:** Mainly Short-Term RTC procurement until long-term contracts are finalised.
- **O&M Expenses:** Normative O&M as per MYT 2025 principles.
- **Transmission Charges:** 50% exemption under **UP Data Centre Policy, 2021**, already granted by UPPTCL.
- **Other Cost:** As per norms specified in MYT 2025 principles.

3.3 Summary of ARR for FY 2026-27

- 3.3.1 The summary of Energy Balance and ARR / Revenue Gap is given in Table below for kind consideration of the Hon'ble Commission:

Table 3: Summary of APR of FY 2026-27

Particulars	Unit	Amount
Energy Balance		
Power Purchase or Energy Available at Discom Periphery	MU	102.00
Sale of Power	MU	100.99
Distribution Loss	%	0.99%
ARR Summary		
Power Purchase Expenses for the Year	Rs. Cr.	57.48
Transmission Charges	Rs. Cr.	0.79
Net Employee cost (Incl. Retiral Benefits)	Rs. Cr.	-
A&G expenses	Rs. Cr.	3.35
R&M expenses	Rs. Cr.	1.93
Interest Charges	Rs. Cr.	3.18
Depreciation	Rs. Cr.	1.95
Taxes (Income Tax & MAT)	Rs. Cr.	-
Provision for Bad & Doubtful Debts	Rs. Cr.	-
Contingency Reserve	Rs. Cr.	-
Return on Equity	Rs. Cr.	1.72
Annual Revenue Requirement	Rs. Cr.	70.41
Less: Revenue from Existing Tariff	Rs. Cr.	68.19
Less: Revenue from Open Access Charges	Rs. Cr.	-
Less: Non-Tariff Income	Rs. Cr.	0.24
Revenue Gap / (Surplus)	Rs. Cr.	1.97
Revenue Gap / (Surplus) from Previous Year	Rs. Cr.	9.38
Carrying Cost Rate	Rs. Cr.	10.75%
Carrying Cost of Regulatory Asset	Rs. Cr.	1.11
Total Revenue Gap / (Surplus) carried forward	Rs. Cr.	12.47

4 REGULATORY ASSET / REVENUE GAP

- 4.1.1 The Petitioner submits that that as on 1 April, 2026, the opening balance of Regulatory Gap has been projected at Rs. 9.38 Cr. which is estimated to increase to Rs. 12.47 Cr.
- 4.1.2 A significant part of the Revenue Gap is attributable to the **Regulatory Discount of 10%** mandated by the Commission, totalling ₹ **15.51 Cr (FY 2024-25 to FY 2026-27)**. The Petitioner has requested removal of Regulatory Discount from FY 2026-27 onwards.

5 Other Tariff Proposal

5.1 Exemption of Transmission Charges

- 5.1.1 Uttar Pradesh Data Center Policy, 2021 ("DC Policy") was notified on 28.01.2021 and subsequently amended on 07.11.2022. Clause 7 .1 of the said policy provides for exemption of transmission charges (Intra-State and Inter-State Power) to Data Center Park. Hon'ble UPERC has duly incorporated the treatment of such exemptions under Regulation 31 of the UPERC Multi Year Tariff (MYT) for Transmission Regulations, 2025. As per policy, 50% exemption in Intra-State transmission charges is to be provided for Intra-State Power which is already implemented by UPPTCL and 100% exemption in Intra-State transmission charges is to be provided for Inter-state power is also implemented from 21.09.2025.
- 5.1.2 Accordingly, the Petitioner has considered 50% of the existing transmission charges i.e. Rs. 1.58 Cr for FY 2026-27 approved in "TABLE 7-23: COMMISSION APPROVED -

ALLOCATION OF ADJUSTED TTSC FOR FY 2025-26” of UPTCL Tariff Order approved vide Case No. 2166 of 2024 dated September 8, 2025.

5.2 Exemption from Time-of-Day (ToD) Tariff

5.2.1 The Petitioner requested for the **non-implementation** of ToD due to:

- Completely **flat load profile** of Data Centres.
- No demand-shifting potential.
- Ineffective DSM outcome.

5.3 Green Energy Tariff

5.3.1 The Hon’ble Commission vide its Tariff Order dated 22nd November 2025 in Case No. 2168 of 2024, for NPCL has approved a Green Energy Tariff @ Rs. 0.34 per kWh for HV consumers and Rs. 0.17 per kWh for LV categories for the consumers of the Company and Regulatory Discount of 10% shall not be applicable on such tariff.

5.3.2 The Petitioner propose the similar Green Energy tariff as approved for NPCL to be applicable to the Petitioner as considering the naïve status with the greenfield project, the demand of the consumers is yet to be stabilise and accordingly the procurement of power under Long / Medium Term will be planned comprising of Conventional and Non-Conventional power.

5.4 Open Access Charges (Wheeling Charges, CSS, Additional Surcharge)

5.4.1 Cost Allocation - Wheeling & Retail Supply Activity has been prepared in accordance with provisions of MYT Regulations, 2025 and explained in detail in the Petition.

5.4.2 The detailed justification / explanation on Wheeling & Retail Charges and Cross Subsidy Surcharge is provided in the Petition. No Additional Surcharge has been proposed by the Petitioner.

5.4.3 The Summary of the charges is outlined in the following table:

Table 4: Summary of Open Access Charges

Particulars	U.O.M	FY 2026-27
Open Access Charges		
Distribution Loss	%	0.99%
Wheeling Charges at 11kV	Rs./kWh	0.94
Cross Subsidy Surcharge		
<i>HV- 1: NON - INDUSTRIAL BULK LOADS</i>	Rs./kVAh	1.47
<i>HV-2 -LARGE AND HEAVY POWER</i>	Rs./kVAh	0.32

5.5 E-Hearing Request

5.5.1 Given the specialised and limited consumer group (Data Centres), the Petitioner requests for Public Hearing for Tariff Petition through **online mode**.

5.6 Paperless Submission

- 5.6.1 The Petitioner submits that the considerable volume of documentation involved in this process not only incurs printing costs but also contributes to environmental concerns due to the extensive paper usage and printing involved.
- 5.6.2 Therefore, the Petitioner submits the Hon’ble Commission to modify the submission and allow to have an electronic / online submission to ensure regulatory compliance.

5.7 Regulatory Assets

- 5.7.1 The Petitioner has proposed to continue the same tariff as applicable for FY 2025-26 in FY 2026-27 also with exemption of applying 10% Regulatory Discount and implementation of ToD Tariff resulting the proposed tariff as follows:

Table 5: Proposed Tariff for FY 2026-27

Tariff	Units	HV 1	HV 2	LMV 9
Energy Charges	Rs./kVAh	8.02	7.00	
Fixed Charges	Rs./kVA	400	300	
Energy Charges	Rs./kWh			9.00
Fixed Charges	Rs./kW/month			300
Regulatory Discount	%	-	-	-

- 5.7.2 Considering the above tariff philosophy, will still result in a unrecovered Revenue gap of Rs. 4.03 Cr., as outlined below:

Table 6: Unrecovered Revenue Gap

Particulars	Amount
ARR of FY 2026-27	70.16
Revenue Gap of ARR of FY 2024-25	3.84
Carrying Cost for FY 2024-25	0.22
Revenue Gap of ARR of FY 2025-26	4.63
Carrying Cost for FY 2025-26	0.69
Carrying Cost for FY 2026-27	1.11
Total ARR for FY 2026-27	80.66
Less: Revenue from Proposed Tariff	76.63
Unrecovered Revenue Gap	4.03

- 5.7.3 The Petitioner submits, that considering the naïve greenfield area with initial stage of the distribution license, it is necessary for the Petitioner to avoid any tariff shock for the consumers. Since, the load is yet to be optimised and demand is expected to grow gradually, the Petitioner request the Hon’ble Commission to allow the deferment of recovery of Rs. 4.03 Cr to next year i.e. FY 2027-28 and consider the same as Regulatory Assets.

6 KEY PRAYER

- 6.1.1 It is, therefore, prayed that the Hon’ble Commission may kindly take on record the instant submissions and examine the Petition and decide upon various proposals in the Petition including following key proposals:

- i Approve the True Up of ARR for FY 2024-25 based on the Audited Annual Accounts for the year;
- ii Approve the Annual Performance Review for FY 2025-26;
- iii Approve the Aggregate Revenue Requirement for FY 2026-27 based on the principles contained in the MYT Regulations, 2025;
- iv Approve the proposed tariff to be charged by the Petitioner from the consumers in view of the submission made in the instant Petition;
- v Approve the Petitioner to discontinue with levy of Regulatory Discount and ToD Discount to the consumers of the distribution area;
- vi Approve the deferment of the Unrecovered Revenue gap of Rs. 4.05 Cr to be recovered in FY 2027-28 and allow the same to be considered as Regulatory Assets;
- vii Approve the proposal for Green Energy Tariff;
- viii Approve the wheeling charges by allocation of cost between Wheeling & Retail Supply Activity of the Petitioner and determine corresponding Open Access charges and Losses;
- ix Approve the consumer category wise Cross Subsidy Surcharge. The Hon'ble Commission is kindly requested to consider the detailed submissions made in the Petition while approving the CSS;
- x To allow Petitioner to charge the same tariff as approved for NPCL for any new category not proposed in the Petition
- xi To conduct the Public Hearing of the Tariff Petition through e- hearing mode/ through video conferencing in view of the submission made in the instant Petition