फा० सं. पैरा/20010/एम.वाई.टी.पी./ए.आई.एस/जी.एच/टी.वी. एम./ सी.पी.दो/ 2016—17 भारतीय विमानपत्तन आर्थिक विनियामक प्राधिकरण ऐरा भवन, प्रशासनिक कॉम्पलेक्स, सफदरजंग एयरपोर्ट, नई दिल्ली —110003

दिनांक : 23 अगस्त, 2017

विषय : त्रिवेन्द्रम अंतर्राष्ट्रीय हवाई अड्डा, त्रिवेन्द्रम में ग्रांउड हैंडलिंग सेवाएं प्रदान करने हेतु मैसर्स एअर इण्डिया सैट्स एअरपोर्ट सर्विस्स प्राईवेट लिमिटेड (एआईसेट्स) के संबंध में द्वितीय नियंत्रण अवधि के लिए बहुवर्ष प्रशुल्क प्रस्ताव (01.04.2016 से 31.03.2021)

......

उपर्युक्त विषय पर परामर्श पत्र सं0 15/2017—18, दिनांक 23.08.2017 सूचना एवं टिप्पणी के लिए संलग्न है।

भवदीय (वी. के. सचदेवा) उप महा प्रबंधक (वित्त)

सेवा में.

सभी पणधारी



Airports Economic Regulatory Authority of India

TO CONSIDER THE MULTI YEAR TARIFF PROPOSAL AND ANNUAL TARIFF PROPOSAL (FY.2016-17) FOR THE SECOND CONTROL PERIOD (FY.2016-17 to FY2020-21) IN RESPECT OF M/s AIR INDIA SATS AIRPORT SERVICES PRIVATE LIMITED(AISATS) FOR PROVIDING GROUND HANDLING SERVICES AT TRIVANDRUM INTERNATIONAL AIRPORT, TRIVANDRUM.

New Delhi: 23rdAugust, 2017.

AERA Building Administrative Complex Safdarjung Airport

1. Brief Background:

1.1 M/s AISATS is carrying out Ground Handling (GH) services at Trivandrum International Airport Trivandrum. The Authority, vide its MYTO Order No. 46/2012-13 dated 15.02.2013, decided to adopt 'Light Touch Approach' in respect of the AISATS for Ground Handling services at Trivandrum Airport for determination of tariffs for the first control period. The Authority in line with the above mentioned MYTO order determined the Annual Tariff Proposal (ATP) for FY 2012-13. Subsequently, Authority's also determined the Annual tariff for FY 2013-14, 2014-15 and 2015-16 vide its Order No. 25/2013-14, dated 10.07.2013.

2. MYTP/ATP/ACS Submissions made by AISATS for 2nd control period.

- M/s AISATS Trivandrum submitted their MYTP on 28th March,2016 with hardcopy of Multi Year Tariff Proposal (MYTP) and Annual Tariff Proposal (ATP) for FY 2016-17 for second control period. Later M/s AISATS vide letter dated 07.07.2016 resubmitted the MYTP/ATP with the necessary changes and justifications as sought by AERA. And other related documents submitted on 05.05.2017. No increase is proposed by the AISATS except AISATS has mentioned as foot note in their tariff proposal that all charges mentioned above exclude prevailing third party charges such as concession fees,royalty,airport levy charged by the Airport Authority at the time of submission. (Annexure-I)
- 2.2 M/s AISATS vide letter dated 06.01..2017 submitted the required Annual Compliance Statements (ACS) for the first control period (FY 2015-16,)And ACS for (FY 11-12 to FY 14-15) for the first control period has already been submitted earlier.

3. <u>Principles for Determination of Aeronautical Tariff under "Light Touch Approach"</u>.

3.1 The Authority vide its Order No. 12/2010-11 dated 10.01.2011 and Direction No. 04/2010-11 issued on 10.01.2011 finalized its approach in the matter of

Regulatory Philosophy and Approach in Economic Regulation of the Services provided for Cargo Facility, Ground Handling and Supply of Fuel to the Aircraft at the major airports and issued the Airports Economic Regulatory Authority of India (Terms and Conditions for Determination of Tariff for Services provided for Cargo Facility, Ground Handling and supply of Fuel to the Aircraft) Guidelines, 2011 ("the Guidelines").

- 3.2 As per clause 3 of the CGF Guidelines, the Authority shall while considering the proposal under the 'Light Touch Approach', follow a three stage procedure for determining its approach to the regulation of Regulated Service(s) as under:
 - 3.2.1.1 Stage 1: The Authority shall first assess 'Materiality 'according to provisions of Clause 4;
 - 3.2.1.2 Stage 2: The Authority shall then assess 'Competition' according to provision of Clause 5; and
 - 3.2.1.3 Stage 3: The Authority shall then assess the reasonableness of existing User Agreement(s), according to provision of Clause 6.
- 3.3 As per clause 4.4 of the Guidelines in respect of Ground handling services, the materiality shall be assessed as a percentage of the International Aircraft Movements at Trivandrum Airport, Trivandrum to Total Intl. Aircraft Movements at all major airports.

Materiality Index (MIg) = $\frac{International\ Aircraft\ Movement\ at\ TV\ Airport\ TVM}{Total\ Intl\ Aircraft\ Movement\ at\ major\ airports}\ X100$

The materiality index at Trivandrum Airport= 14803/330467

= 4.48%

The percentage share of Ground Handling for Trivandrum Airport, Trivandrum for the FY 2014-15 is 4.48% which is less than 5% Materiality Index (MIg) for the above subject service. Hence the regulated service is "not material" for the second control period.

3.4 As per clause 5 of the CGF Guidelines, where a regulated service is being provided at a major airport by two or more Service Provider(s), it shall be deemed 'competitive' at that airport. If a Regulated Service is provided by less than two Service Provider(s), it shall be deemed 'not-competitive'.

AERA on provisions of the National Civil Aviation Policy (NCAP- 2016), vide Order No. 15/2016-17 dated 12th Jan,2017, The Authority will adopt the criteria for competition assessment for ground Handling Agencies as "three (3) Ground Handling Agencies (GHA) including Air India's subsidiary/JV at all major Airports".

- 3.4.1 As per the information furnished by AISATS in Form F1(b) on competition Assessment, M/s Bhadra International (I) Ltd. is other service provider which is rendering similar service at Trivandrum Airport.
- 3.4.2 Hence in the instance case, there are two Ground Handling service providers including AISATS, and therefore the service is deemed 'Not competitive'
- 3.5 As per Clause 6 of CGF Guidelines, the Authority shall consider the existing User Agreement(s) as reasonable provided that:
 - 3.5.1 The Service Provider submits the existing User Agreement(s) between the Service Provider and all the User(s) of the Regulated Service(s), clearly indicating the tariff(s) that are agreed to between the Service Provider and the User(s) of the Regulated Service(s) and
 - 3.5.2 The User(s) of the Regulated Service(s) have not raised any reasonable objections or concerns in regard to the existing User Agreement(s) which have not been appropriately addressed.
- 3.6 Clause 3.2 (i) and Chapter V of the Guidelines provides that wherever the regulated service provided is 'Not material", the Authority shall determine Tariff(s) for Service Provider (s) based on a "light touch approach" for the duration of the Control period, according to the provisions of Chapter V. However, the Authority reserves the right to review materiality assessments, competition assessments and the reasonableness of the User Agreements within the Control period and issue such direction or make such orders as it may consider necessary.
- 3.7 As per Clause 11.2, the ATP is required to be submitted in the manner and

form provided in clause AI. 8.1 (Appendix I) of the CGF Guidelines and should be supported by the following documents:

- 3.7.1 Form B and Form 14(b).
- 3.7.2 Details of consultation with stakeholders.
- 3.7.3 Evidence of User Agreement(s), if any, between the service provider(s) and the users(s) of the regulated service(s) clearly indicating the Tariff(s) that are proposed by the Service Provider and agreed to by User(s).
- 3.8 AISATS has submitted the Form B and some of the user agreements.
- 3.9 AISATS has not submitted the copy of Concession Agreement.

4 Authority's Examination on the proposal.

- 4.1 The services rendered by AISATS for providing Ground Handling facility at Trivandrum airport are aeronautical services in terms of section 2(a) of the Airports Economic Regulatory Authority of India Act, 2008 (Act) and under section 13 (1)(a) of the Act, the Authority is required to determine tariff for aeronautical services.
- 4.2 M/s AISATS has submitted the Annual Compliance Statement (ACS) for the tariff years 2011-12 to 2015-16 of first control period and Annual Tariff Proposal (ATP) for FY. 2016-17. M/s AISATS has not submitted any evidence of stakeholder consultation meeting.
- 4.3 M/s AISATS revised its tariff card last in FY 2015-16 with 10% increase over tariff determined for the F/Y 2014-15 vide AERA order No. 25/2013-14 dated 10.07.2013
 - a) Based on the ACS submissions by AISATS a comparative scenario of revenue, cost and return on average RAB for the first control period is prepared and annexed as ("Annexure-II").
 - b) ACS of first control period reveals that the Revenue increase 60% in the FY. 2015-16 (Rs.30.07 Cr.) in comparison to the FY. 2014-15.(Rs.29.31

- Cr.) Similarly, operating profit also increase from -0.07 Cr. In the FY.2014-15, to Rs.2.13 Cr. In FY.2015-16.
- c) Return on Average RAB as 8.64% in FY. 2015-16, In compare to -0.34% in FY.2014-15 and 1.13% in FY.2013-14
- 4.4 The Authority observed that the concession agreement has not been submitted by the AISATS. However the valid user agreement has been submitted by AISATS.
- 4.5 The tariff order/ card issued by the AERA for the year 2012-13,2013-14,2014-15, and 2015-16 was issued with the note that all charges mentioned in the tariff card include prevailing concession fees,royality ,Airport levy charged by the Airport Authority. ("Annexure-III")

5 Proposal

The Authority, after careful consideration of the MYTP and ATP for FY 2016-17, makes the following proposal for stakeholder consultation:

- 5.1 The service for Ground handling being provided by M/s Air India SATS Airport services Private Limited at Trivandrum International airport Trivandrum.is deemed "Not Material" and "Not Competitive". Therefore the Authority proposes to adopt 'Light Touch Approach' for determination of tariffs for the 2nd control period w.e.f. 01.04.2016 to 31.03.2021 and accordingly proposes to issue the MYTO for the 2nd control period.
- As the financial year 2016-17 has already been completed, for which the determination of tariff by AISATA Trivandrum has been submitted to AERA. The Authority proposes to allow M/s AISATS to continue the existing/prevalent tariff as on 31.03.2016, for the period 01.04.2016 to 31.03.2017. with the same terms and conditions of the order no.25/2013-14 dt.10th July,2013 issued by the AERA And further proposes to continue existing tariff for FY 2017-18 with the same terms and conditions of the above mentioned order of second control period for providing Ground Handling Services at Trivandrum Airport, Trivandrum ("Annexure-IV").

- 5.3 Tariff determined as above will be maximum tariff to be charged. No other charge is to be levied over and above the approved tariff.
- 5.4 M/s AISATS should submit the Annual Tariff Proposal (ATP) for FY 2018-19 with Annual Compliance Statement (ACS) for FY 2016-17 & 2017-18 well in time as per the Guidelines.
- In accordance with the provisions of Section 13(4) of the AERA Act, the proposal contained in para 5 above is hereby put forth for stakeholder consultation. To assist the stakeholders in making their submissions in a meaningful and constructive manner, necessary documents are enclosed as annexures to the consultation paper. For removal of doubts, it is clarified that the contents of this Consultation Paper may not be construed as any Order or Direction of this Authority. The Authority shall pass an Order, in the matter, only after considering the submissions of the stakeholders in response hereto and by making such decision fully documented and explained in terms of the provisions of the Act.
- 5.6 The Authority welcomes written evidence-based feedback, comments and suggestions from stakeholders on the proposal made in para 5 above, latest by 14th September, 2017 at the following address:

Secretary,
Airports Economic Regulatory Authority of India,
AERA Building,
Administrative Complex,
Safdarjung Airport,
New Delhi- 110003
Email: puja.jindal@nic.in
Tel: 011-24695042
Fax: 011-24695039

S. Machendranathan Chairperson

Annexux-I/A

MAXIMUM RATES TO BE PAID BY SCHEDULED AIRLINES FOR COMPREHENSIVE GROUND HANDLING

S/N	Aircraft Types (ICAO Code)	Maximum Ground Handling Rate in INR						
		Scheduled Pa	ssenger Aircraft	Scheduled Freighter Aircraft				
		Domestic	International	Domestic	International			
1	CODE B	20,670	106,795	NA NA	NA			
2	CODE C	32,281	178,509	141,787	189,155			
3	CODE D	63,477	244,179	193,685	453,510			
4	CODE E	109,091	398,725	228,135	453,510			
5	CODE F		-	-	-			

- 1) To achieve the projected ARR only maximum ground handling rates have been suggested for Airlines as user agreements will be entered into with each Airline based on the IATA AHM 810 STANDARD GROUND HANDLING AGREEMENT 1998 or 2004 or 2008 or 2013(SGHA).
- 2) The rates with each Airline will be negotiated based on services required from SGHA service items (usage of equipment and manpower), flight frequency, service level agreement, credit period and liability and indemnity requirement.
- 3) These rates may be revised, where external economic / financial factors warrant a review. However, any change, will be in consultation with the relevant authorities (AERA) and related stakeholders.
- All charges mentioned above exclude prevailing third party charges such as concession fee, royalty, airport levy charged by the Airport Authority at the time of submission.
 - 5) All charges mentioned above exclude taxes which will be charged at the prevailing rates.
 - 6) Exchange rate used for contracts signed in USD: 1 USD = 68 INR



Annexuse - II

Annual Compliance for the tariff year

(Refer AI.9 of the Guidelines and Form No. 16)

	ISP: AISATS, GROU	ND <u>HAI</u>	VDLING S	ERVICES,	TVM			(Rs.In Crores)
	Tariff years							
	<u>Particulars</u>		20:	112012	2012 2013	20132014	20142015	20152016
Sl No.	Performance Report for the years						·	Ĭ
	"		Actual	-	Actual	Actual	Actual	Actual
1	Revenue:			<u>-</u>		<u> </u>		
1.1	Regulated Services-Ground Handling	1		11.25	30.89	29.65	29.27	29.69
1.2	-Cargo Handling	1		0.00		0.00	 	0.00
1.3	Other than Regulated Services	2		0.05	0.02	0.12	0.04	0.38
	A Total Revenue			11.30	30.91	29.77	29.31	30.07
2	Expenditure:							
2.1	Operating Expenditure	3		0	23.23	26.34	24.78	22.02
2.2	Depreciation	4		0.25	0.74			
	A Total Expenditure	5		0.25	23.97	29.63	29.38	27.94
3	Regulatory Operating Profit	1+2-5		11.05	6.94	0.14	-0.07	2.13
4	CAPEX				-			
4.1	Opening RAB			0.15	1.85	5.79	19.03	21.79
4.2	Captial Expenditure	ı İ		1.95	4.68	16.53		
4.3	Disposals /Transfers			0.00	0.00	0.00		0.00
4.4	Deprication	Į.		0.25	0.74	3.29	4.6	5.92
4.5	closing RAB			1.85	5.79	19.03	21.79	27.5
4.6	Average RAB{(4.1+4.5)/2}		L	1.00	3.82	12.41	20.41	24.65
					, 	, ——— — -		
5	Return on Average RAB (3/4.6)			1105.00%	181.68%	1.13%		
6	B Total Volume (ATM)			5045	7000			6832
7	Actual Yield Per Unit (A/B)	_		22299	44129	41341	42855	43457

Annexuse-III

[F. No. AERA/20010/MYTP-AIS/GH/TVM/2012-13] Airports Economic Regulatory Authority of India Order No. 25/2013-14

AERA Building, Administrative Complex, Safdarjung Airport, New Delhi - 110 003

Date of Order: 10th July, 2013 Date of Issue: 16th July, 2013

In the matter of determination of Tariffs for Third, Fourth and Fifth Tariff Year of the First Control Period in respect of Air India SATS Airports Services Private Limited for providing Ground Handling Services at Thiruvananthapuram International Airport, Thiruvananthapuram.

The Authority had considered the Multi Year Tariff Proposal (MYTP) and Annual Tariff Proposal (ATP) submitted by Air India SATS Airport Services Private Limited, (AISATS) for the first control period commencing w.e.f. 01.04.2011, in respect of services provided for ground handling at Thiruvananthapuram International Airport, Thiruvananthapuram. After due stakeholder consultation, the Authority issued Multi Year Tariff Order (MYTO) No. 46/2012-13 dated 05.03.2013 wherein it was decided to adopt "light touch approach" for determination of tariff for the first control period and the tariff for the second (FY 2012-13) tariff year of the first control period was determined.

- 2.1 Subsequently AISATS, submitted its ATPs for the third, fourth and fifth tariff year in respect of ground handling services at Thiruvananthapuram International Airport, Thiruvananthapuram.
- 2.2 The Authority considered the submissions made by AISATS and issued Consultation Paper No. 10/2013-14 on 04.06.2013, wherein these ATPs for Third, Fourth and Fifth tariff years, were put up for stakeholder consultations. No comments have been received from any stakeholder in response to the Consultation Paper.
- 2.3 It was observed that as per Note 2 of the tariff rate card AISATS has stated that "These rates may be revised, where external economic/financial factors warrant a review. However, any change will be in consultation with the stakeholders and final approval of AERA." In this regard, it was also noted that in respect of major airports the tariffs for aeronautical services are to be determined by the Authority. Hence, the tariff determined by the Authority can not be increased by the service provider on its own. For any increase the service provider may seek appropriate determination, if need be.

On Mic Regulator

Order No. 25/2013-14

Page 1 of 2

ORDER:

- 3. Upon careful consideration of material available on record, the Authority, in exercise of powers conferred by Section 13 (1) (a) of the Airport Economic Regulatory of Authority of India Act, 2008, hereby orders that:
 - (i) Tariff for the Ground Handling Services provided by M/s Air India SATS Airport Services Private Limited at Thiruvananthapuram International Airport, Thiruvananthapuram is determined, for the Third Tariff Year (w.e.f. 01.04.2013 to 31.03.2014), Fourth Tariff Year (w.e.f. 01.04.2014 to 31.03.2015) and for Fifth Tariff Year (01.04.2015 to 31.03.2016), as per Annexure –I. In case M/s Air India SATS wishes to revise these tariffs, then it may approach the Authority with a suitable tariff proposal.

By the Order of and in the Name of the Authority

[Capt. Kapil Chaudhary (Retd.)] Secretary

To

M/s Air India SATS Airports Services Pvt. Ltd. A-301, Business Square, Andheri – Kurla Road, Chakala, Andheri (East), Mumbai – 400 069. (Through: Shri Nilang Shah, Marketing Manager)



AIR INDIA SATS AIRPORT SERVICES PRIVATE LIMITED

MAXIMUM RATES TO BE PAID BY SCHEDULED AIRLINES FOR COMPREHENSIVE GROUND HANDLING AT THIRUVANANTHAPURAM INTERNATIONAL AIRPORT; THRUVANANTHAPURAM

For Tariff Year 2013-14

	Maximum Ground Handling Rate in INR (FY 2013-14							
S/N	Aircraft Types (ICAO Code)	Schedule	ed Passenger	Scheduled Freighter				
		Domestic Flight	International	Domestic Flight	International Flight			
1	CODE B	17,083	88,260	, NA	NA			
2	CODE C	26,678	147,528	117,179	156,327			
3	CODE D	52,460	201,801	160,070	374,802			
4	CODE E	90,158	329,525	188,541	374,802			
5	CODE F	-		-	<u> </u>			

- 1) The rates with each Airline will be negotiated based on services required from SGHA service items (usage of equipment and manpower), flight frequency, service level agreement, credit period and liability and indemnity requirement.
- 2) All charges mentioned above include prevailing concession fee, royalty, airport levy charged by the Airport Authority
- 3) All charges mentioned above exclude all taxes such as Service Tax, as may be applicable.
- 4) Exchange rate used for contracts signed in USD: 1 USD = 55 INR



AIR INDIA SATS AIRPORT SERVICES PRIVATE LIMITED

MAXIMUM RATES TO BE PAID BY SCHEDULED AIRLINES FOR COMPREHENSIVE GROUND HANDLING THIRUVANANTHAPURAM INTERNATIONAL AIRPORT, THRUVANANTHAPURAM

For Tariff Year 2014-15

			No.	_				
Maximum Ground Handling Rate in INR (FY 2014-15)								
Aircraft Types (ICAO Code)	Schedule	ed Passenger	Scheduled Freighter					
	Domestic Flight	International Flight	Domestic Flight	International Flight				
CODE B	18,791	97,086	NA	NA				
CODE C	29,346	162,281	128,897	171,959				
CODE D	57,706 _% *	221,981	, 176,077	412,282				
CODE E	99,174	362,478	207,395	412,282				
CODE F	- '4		¥ -	-				
	CODE B CODE C CODE D CODE E	Maximum	Aircraft Types (ICAO Code) Scheduled Passenger (ICAO Code) Domestic International Flight Flight	Maximum Ground Handling Rate in IN				

Notes:

Metaline a st

- 1) The rates with each Airline will be negotiated based on services required from SGHA service items (usage of equipment and manpower), flight frequency, service level agreement, credit period and liability and indemnity requirement.
- 2) The tariff for Tariff Year 4 is based on the rates of Tariff Year 3 increased by 10% on account of rate of inflation.
- 3) All charges mentioned above include prevailing concession fee, royalty, airport levy charged by the Airport Authority.
- 4) All charges mentioned above exclude all taxes such as Service Tax, as may be applicable.
- 5) Exchange rate used for contracts signed in USD: 1 USD = 55 INR



AIR INDIA SATS AIRPORT SERVICES PRIVATE LIMITED

MAXIMUM RATES TO BE PAID BY SCHEDULED AIRLINES FOR COMPREHENSIVE GROUND HANDLING THIRUVANANTHAPURAM INTERNATIONAL AIRPORT, THRUVANANTHAPURAM

HET/COS

For Tariff Year 2015-16

	TOT TAIN (EGGEDA)								
	Maximum Ground Handling Rate in INR (FY 2015-16)								
S/N	Aircraft Types (ICAO Code)	Schedule	ed Passenger	Scheduled Freighter					
		Domestic Flight	International Flight	Domestic Flight	International Flight				
1	CODE B	20,670	106,795	NA	NA				
2	CODE C	32,281	178,509	141,787	189,155				
3	CODE D	63,477	244,179	193,685	453,510				
4	CODE E	109,091	398,725	228,135	453,510				
5	C ODE F	_	, , , , , , , , , , , , , , , , , , ,	-	-				

- 1) The rates with each Airline will be negotiated based on services required from SGHA service items (usage of equipment and manpower), flight frequency, service level agreement, credit period and liability and indemnity requirement.
- 2) All charges mentioned above include prevailing concession fee, royalty, airport levy charged by the Airport Authority.
- 3) The tariff for Tariff Year 5 is based on the rates of Tariff Year 4 increased by 10% on account of rate of inflation.
- 4) All charges mentioned above exclude all taxes such as Service Tax, as may be applicable.
- 5) Exchange rate used for contracts signed in USD: 1 USD = 55 INR



Annexuse-IV

AIR INDIA SATS AIRPORT SERVICES PRIVATE LIMITED

MAXIMUM RATES TO BE PAID BY SCHEDULED AIRLINES FOR COMPREHENSIVE GROUND HANDLING THIRUVANANTHAPURAM INTERNATIONAL AIRPORT, THRUVANANTHAPURAM

For Tariff Year 2015-16

			i icai manai m						
	Maximum Ground Handling Rate in INR (FY 2015-16)								
S/N	Aircraft Types (ICAO Code)		ed Passenger	Scheduled Freighter					
 "		Domestic Flight	International Flight	Domestic Flight	International Flight				
1	CODE B	20,670	106,795	NA	NA				
2	CODE C	32,281	178,509	141,787	189,155				
3	CODE D	63,477	244,179	193,685	453,510				
4	CODE E	109,091	398,725	228,135	453,510				
5	CODE F	-	2	-	-				

- 1) The rates with each Airline will be negotiated based on services required from SGHA service items (usage of equipment and manpower), flight frequency, service level agreement, credit period and liability and indemnity requirement.
- 2) All charges mentioned above include prevailing concession fee, royalty, airport levy charged by the Airport Authority.
- 3) The tariff for Tariff Year 5 is based on the rates of Tariff Year 4 increased by 10% on account of rate of inflation.
- 4) All charges mentioned above exclude all taxes such as Service Tax, as may be applicable.
- 5) Exchange rate used for contracts signed in USD; 1 USD = 55 INR

