

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION
(Constituted under Section 82(1) of the Electricity Act 2003)
(Central Act 36 of 2003)**

PRESENT :

Thiru. S. Kabilan - **Chairman**

Thiru K. Venugopal - **Member**

I.A.No.1 of 2010 in M.P.No.25 of 2010

Sri Vishnu Annamalaiyar Paper
Mills (P) Ltd.
9/4/52, Ramanujar Street
Sri Ram Nagar
Kottaiyur
Karaikudi – 630 106
Rep. by its Managing Director
Mr. K.R.A.G. Saravanan

Petitioner
Thiru. Arvind Subramaniam
Advocate for Petitioner

Vs

1. The Chairman
Tamil Nadu Electricity Board
Chennai.
2. The Chief Engineer (Commercial)
The Tamil Nadu Electricity Board
Chennai.
3. The Chief Engineer
The Tamil Nadu Electricity Board
Madurai Region
Madurai.
4. The Superintendig Engineer
Sivagangai Electricity Disribution Circle
The Tamil Naldu Electricity Board
Sivagangai
Sivagangi District.

Respondents
Thiru. H.S. Mohamed Rafi
Advocate for Respondents

Date of hearing: 7-7-2010
Date of Order: 7-7-2010

I.A. No.1 of 2010 in M.P.No.25 of 2010 came up for hearing on 7-7-2010. Upon perusing the petition and connected records of the case and upon hearing both sides, the Commission passes the following Interim Order namely:-

INTERIM ORDER

1. We have heard the Learned Counsel for the Petitioner. The learned counsel for the TNEB was also heard at the admission stage. Basically this is a dispute between a consumer and the distribution licensee and therefore the Commission would not like to entertain such cases. However there is a submission that the formula for fixation of base demand and base energy contained in the order of the Commission in M.P.No.42/2008 relating to the period from October 2007 to September 2008 needs to be modified in the case of the Petitioner.

2.(i) The letter of the Superintending Engineer dated 5-1-2009 addressed to the Chief Engineer (Distribution), Madurai states as follows: "For HT SC No.80 (Unit-I) has not reached the high energy level of on and average of 3 to 3.5 lakhs after the period of 1-9-2007 onwards (i.e. Demand and energy quota calculation period) due to frequent load shedding and also due to power transformer failure at 66/22 KV Sakkavayal unmanned S.S."

(ii) C.E. (Distribution), Madurai in his letter dated 24-2-2009 addressed to the Chief Engineer (Commercial) TNEB recommended the prayer of the

petitioner for taking into account the energy consumption during July 2007.to September 2007.

3. The petitioner has stated that consumption during July 2007, August 2007 and September 2007 was in the range of 3.5 lakh units and the demand was in the range of 760 KVA.

4. On the limited question of refixing the demand and energy quota, whether the period of October 2007 to September 2008 as laid down by the Commission in M.P.No.42 of 2008 should be relaxed for the Petitioner, the TNEB may file a counter.

Delivered on 7-7-2010

**(Vacant)
Member -II**

**(K. Venugopal)
Member – I**

**(S. Kabilan)
Chairman**

/ True Copy /

**Secretary
Tamil Nadu Electricity
Regulatory Commission**