

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**

and

Thiru.S.Nagalsamy **Member**

M.P. NO. 32 OF 2010

M/s. Indian Wind Power Association
(Formerly Wind Power Producers Association)
Door No. E, 6th Floor
Tower I, Shakthi Towers
No.766, Anna Salai
Chennai – 600 002
Represented by Mr.Rishi Muni Dwivedi
Secretary General.

.... **Petitioner**
(Thiru.Rahul Balaji, Advocate for Petitioner)

Versus

1. Tamil Nadu Electricity Board
Rep. by its Chairman
800, Anna Salai,
Chennai – 600 002.

2. The Chief Financial Controller / Rev
Tamil Nadu Electricity Board
144, Anna Salai
Chennai – 600 002.

.. **Respondents**
(Thiru.H.S.Mohammed Rafi, Advocate for Respondents)

Date of hearing 29-10-2010

Date of Interim Order 29-10-2010

1. The prayer in M.P.No.32 of 2010 is to punish the respondents for non-compliance of the orders made in M.P. No.42 of 2008 dated 28-11-2008 and the order dated 28-10-2009 in Suo Moto Proceedings 1 of 2010 under Section 142 & 146 of the Electricity Act, 2003 r/w Regulation 36 of the TNERC (Conduct of Business) Regulations, 2004 in so far as it relates to issuance of a clarification in its impugned communication dated 25-06-2010 bearing reference CFC/Rev/FC/R/DNo./10 pertaining to calculation of energy quota, which act of the respondent amounts to violation of the orders passed by this Hon'ble Commission and set aside the impugned communication bearing reference CFC/Rev/FC/R/DNo./10 dated 25-06-2010 as being illegal.

2. The interim prayer in the above M.P. No.32 of 2010 is to issue an order of stay of the operation of the 2nd respondent's communication dated 25-06-2010 bearing reference CFC/Rev/FC/R/DNo./10 being the clarification issued to calculation of energy quota and all proceedings pursuant thereto pending disposal of the petition.

3. The above petition came up for hearing before the Commission on 29-10-2010. The Commission upon perusing the above petition and connected records of the case and upon hearing both sides passes the following

INTERIM ORDER

Pending disposal of the Petition M.P. No.32 of 2010, Letter No.CFC/Rev/FC/R/D.No./10, dated 25-06-2010 of the Chief Financial Controller (Revenue) of the TNEB is stayed.

Delivered on 29-10-2010

**(Sd.....)
(S. Nagalsamy)
Member - II**

**(Sd.....)
(K.Venugopal)
Member - I**

**(Sd.....)
(S.Kabilan)
Chairman**

/ True Copy /

**Assistant Secretary
Tamil Nadu Electricity
Regulatory Commission**