



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. R. Rajupandi - **Member**
and
Thiru K. Venugopal - **Member**

M.P. Nos. 10, 11 & 12 of 2010

Dates of hearing: 18-3-2010 & 29-3-2010
Date of Order 29-3-2010

- (1) The Southern India Mills Association
No.41, Race Course Road
Coimbatore. Petitioner in M.P.No.10 of 2010
Counsel for Petitioner
Thiru. N.L. Rajah
Advocate
- (2) Indian Wind Power Association
No.40, (Ground Floor)
Besant Avenue, Adyar
Chennai – 600 020. Petitioner in M.P.No.11 of 2010
Counsel for petitioner
Thiru. Sathish Parasaran
“ Rahul balaji
- (3) Indian Wind Power Association
No.40, (Ground Floor)
Besant Avenue, Adyar
Chennai – 600 020. Petitioner in M.P.No.12 of 2010
Counsel for petitioner
Thiru. Sathish Parasaran
“ Rahul balaji

Versus

- (1) The Chairman
Tamil Nadu Electricity Board
144, Anna Salai, Chennai.
- (2) The Chief Engineer/NCES
Tamil Nadu Electricity Board
144, Anna Salai, Chennai.

Counsel for Respondents
Thiru H.S. Mohamed Rafi
Advocate

The above M.P.Nos.10, 11 & 12 of 2010 praying for extending the banking period for the year 2009-2010 upto April 2010 and directing the respondents to make payment of a sum of Rs.3.50 per unit for unutilized banked units together with interest came up for final hearing on 29-3-2010. The Commission upon perusing the above petitions and connected records and upon hearing the arguments of both sides passes the following

Common Order

It transpires from the correspondence produced by the learned counsel for the Tamil Nadu Electricity Board that the earliest intimation of quota to the consumers took place in the end of November 2009 and in some cases the intimation was given as late as end of December 2009. Thus, the Commission's Order was implemented by Tamil Nadu Electricity Board in a time frame of not less than one month and in some cases as late as 2 months. Wherever the communication of quota allocation was received by the consumers in the end of November 2009 the delay was one month and wherever the intimation was received in the end of December 2009 the delay was two months. Therefore it is fair to extend the utilization of the banked energy up to 30th April, 2010 or 31st May, 2010 depending on whether the intimation was received by the consumer from the Tamil Nadu Electricity Board by one month later or two months later. However, the consumers who had availed of the 1/5th of the banked energy from November onwards will not be eligible for the extension of banking period. Conversely, if any consumer has been penalized from November onwards for not being able to utilize the 1/5th of banked energy due to the delay in intimation of quota, such penalty shall be reversed. The extension of banking period will apply to 1/5th of the banked energy as on 1-11-2009.

The prayer for encashment at the rate of Rs.3.50 per unit cannot be entertained since the extension of banking period is already granted.

The Commission shall be apprised of the action by the Tamil Nadu Electricity Board in implementing this Order.

With the above directions, M.P.Nos.10, 11 & 12 of 2010 are finally disposed off.

Delivered on 29-3-2010.

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

(Sd.....)
**(R. Rajupandi)
Member**

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

// True Copy //

Assistant Secretary
Tamil Nadu Electricity
Regulatory Commission