

# **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**

**Thiru. S. Nagalsamy** .... **Member**

## **I.A. NO.1 of 2011 in P.P.A.P.No.6 of 2010**

1.Pallava Water and Power Pvt. Ltd  
No. 29, Hospital Road  
'Maliks Building' 1<sup>st</sup> Floor  
Bangalore – 560 001.

2.PWPL Bio Energy Pvt. Ltd  
No. 29, Hospital Road  
'Maliks Building' 1<sup>st</sup> Floor  
Bangalore – 560 001.

3.Namakkal Bio Energy Pvt. Ltd  
No. 29, Hospital Road  
'Maliks Building' 1<sup>st</sup> Floor  
Bangalore – 560 001.

.... Petitioners  
(M/s. Nayak & Srikumar  
Advocates for Petitioners)

Versus

1.Tamil Nadu Electricity Board  
800, Anna Salai  
Chennai – 600 002.

(Thiru.H.S. Mohammed Rafi  
Standing Counsel for TNEB)

2. Government of Tamil Nadu  
Through its Secretary  
Energy Department  
St. George Fort, Chennai – 600 009.

3. Government of Tamil Nadu  
Through its Secretary  
Environment and Forests Department  
Secretariat, St. George Fort  
Chennai – 600 009.

... Respondents

**Date of hearing : 20-4-2011**

**Date of order : 20-4-2011**

The above interim application was taken up for hearing on 20-4-2011. Ms. Pritha Srikumar, Advocate for the petitioner appeared. The counsel for the petitioner submitted the interim application has been filed with a prayer to amend PPAP. No.6 of 2010 with respect to the capital cost, interest rate, depreciation and O & M Expenses. The Commission observed that such a petition cannot be entertained at this stage since the main proposal has been considered by an expert committee and especially when no new developments have taken place in between the date of filing the main PPAP and the present Interim application. After hearing both side the Commission made the following:-

**ORDER**

The Pallava Water and Power Pvt. Ltd. submitted a petition in November, 2010 for a Project for production of gas using poultry litter etc., and generating electricity using gas engines. The petition of the Pallava Water and Power Pvt. Ltd. was circulated to an Expert Committee. Their views were obtained in a meeting held on 18-2-2011. The petitioner has filed a petition on 29-3-2011 for an amendment in the original petition filed in November 2010. The amendment seeks to raise the capital cost from Rs.10 crores to Rs.10.5 crores, interest rate from 11% to 13%, interest on Working Capital from 12% to 14%, depreciation from 4.5% to 7%, and O & M Expenses from 5.27% to 6%. There is no change in the scenario between November 2010 and March 2011

to warrant change in the factors, which are definitely more beneficial to the petitioner. The views of the Expert Committee have been obtained at a considerable cost to the Commission. A revised petition would involve a fresh sitting of the Expert Committee which the Commission thinks is not advisable. The whole exercise of tariff determination will be further delayed. That apart the Commission would like to observe that the exercise of determination of tariff for this specific technology has been undertaken although the tariff of Biomass was available, at the instance of the petitioner. It is not in public interest to incur more expenditure and also delay the process of tariff fixation. Therefore the amendment petition is rejected.

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

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

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

**/ True Copy /**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**