

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION
CHENNAI**

**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

P.P.A.P. Nos. 2, 3, 4 & 5 of 2010

1) I.A.No.1 of 2010 & P.P.A.P. No.2 of 2010

Shree Ambika Sugars Limited
"Eldorado", 5th Floor
No.112, Uthamar Gandhi Salai
Chennai – 600 034.

.... Petitioner

(Thiru Rahul Balaji, Advocate for Petitioner)

Vs.

1. The Tamil Nadu Electricity Board
Represented by the Chairman
144, Anna Salai
Chennai – 600 002.

2. The Superintending Engineer
Cuddalore Electricity Distribution Circle
Cuddalore

.... Respondents

(Thiru Mohamed Rafi, Advocate for Respondents)

2) I.A.No.1 of 2010 & P.P.A.P. No.3 of 2010

Shree Ambika Sugars Limited
"Eldorado", 5th Floor
No.112, Uthamar Gandhi Salai
Chennai – 600 034.

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

Vs.

1. The Tamil Nadu Electricity Board
Represented by the Chairman
144, Anna Salai
Chennai – 600 002.
2. The Superintending Engineer
Thanjavur Electricity Distribution Circle
Thanjavur
..... Respondents
(Thiru Mohammed Rafi, Advocate for Respondents)

3) I.A.No.1 of 2010 & P.P.A.P. No.4 of 2010

Terra Energy Limited
"Eldorado", V Floor
No.112, Nungambakkam High Road
Chennai – 600 034

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

Vs.

1. The Tamil Nadu Electricity Board
Represented by its Chairman
144, Anna Salai
Chennai-600 002.
2. The Superintending Engineer
Thanjavur Electricity Distribution Circle
Thanjavur.
..... Respondents
(Thiru H.S. Mohamed Rafi, Advocate for Respondents)

4) I.A.No.1 of 2010 & P.P.A.P. No.5 of 2010

Terra Energy Limited
"Eldorado", V Floor
No.112, Nungambakkam High Road
Chennai – 600 034

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

Vs.

1. The Tamil Nadu Electricity Board
Represented by its Chairman
144, Anna Salai
Chennai-600 002.

2. The Superintending Engineer
Cuddalore Electricity Distribution Circle
Cuddalore.

..... Respondents
(Thiru H.S. Mohamed Rafi, Advocate for Respondents)

Dates of hearing 19-10-2010 & 18-1-2011

Date of Order 18-1-2011

P.P.A.P. Nos. 2 of 2010, 3 of 2010, 4 of 2010 and 5 of 2010 were filed with a prayer to fix the tariff payable to the petitioners for sale of surplus power generated by the petitioners' bagasse based co-generation plants at Pennadam, Kottur, Chittur and Tirumandankudi, respectively, to the respondent Board under the respective power purchase agreements, in terms of the petitioners' proposal dated 31-3-2010.

The above petitions came up for hearing on 18-1-2011. When the matter was taken up, the counsel for the petitioners submitted memo stating that it has been suggested by the Tamil Nadu Electricity Board that the tariff determination with effect from April 01, 2010 in respect of the aforesaid power plants can be mutually negotiated and fixed and under such circumstances it is considered appropriate to withdraw the petitions to pave way for negotiation and fixation of tariff in accordance with the regulations and terms of the contract. The counsel has therefore prayed that the petitioners may be permitted to withdraw the aforesaid petitions with liberty to approach the Commission in case the petitioners' efforts to negotiate the tariff with Tamil Nadu Electricity Board does not fructify.

The above submission is recorded and the Commission passes the following

COMMON ORDER

The petitioners are permitted to withdraw the petitions with liberty to reintroduce the subject, if necessary, as prayed for by the petitioners.

(Sd.....)
(S. Nagalsamy)
Member – II

(Sd.....)
(K. Venugopal)
Member – I

(Sd.....)
(S.Kaliban)
Chairman

/ True Copy /

**Secretary
Tamil Nadu Electricity
Regulatory Commission**

