



**THE 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 B. Jeyaraman** - **Member**

**and**

**Thiru R. Rajupandi** - **Member**

In the matter of summons notice TNERC/Legal/AD(L)/F.Show Cause/D.No.1296/2008 dated 10.09.2008 issued to the Member (Distribution), TNEB and the Superintending Engineer, Dharmapuri Electricity Distribution Circle to explain contravention of Tamil Nadu Electricity Distribution Code.

**STAY ORDER DATED 19<sup>th</sup> SEPTEMBER 2008**

1. Lr. No. CE/CommI/EET/AEE1/F.TNERC/D. 120/08 dated 14.08.2008 of the Tamil Nadu Electricity Board refers to the notification issued by the Andhra Pradesh Electricity Regulatory Commission on recovery of expenses for providing electric line or electric plant. These regulations were withdrawn by the Andhra Pradesh Electricity Regulatory Commission subsequently and are no more in force.

2. Para 5 of the Lr. No. CE/Comm/AEE1/F.TNERC/D. 147/08 dated 08.09.2008 of the Chairman, Tamil Nadu Electricity Board states that the Chief Engineers and Superintending Engineers have been instructed to collect extension cost as per procedure recommended by the TNEB in their letter dated 14.08.2008 in anticipation of the approval of TNERC. The power to prescribe charges from a person requiring supply of electricity is vested in the Tamil Nadu

Electricity Regulatory Commission under Section 46 of the Electricity Act,2003 and therefore the TNEB has no jurisdiction to order collection of the charges in anticipation of the approval of the Tamil Nadu Electricity Regulatory Commission.

3. Lr. No. CE/Comml/EET/AEE1/F.TNERC/D. 120/08 dated 14.08.2008 of Tamil Nadu Electricity Board contains the following violations of the Regulations of the Tamil Nadu Electricity Regulatory Commission:-

a) Collection of extension cost and strengthening cost for the LT line / HT line / EHT line constitutes violation of Regulation 45 (1) (ii) of Tamil Nadu Electricity Distribution Code.

b) Collection of the proportionate cost of distribution transformer / power transformer is a violation of Regulation 45 (1) (ii) of Tamil Nadu Electricity Distribution Code.

c) Collection of cost of new breaker and current transformers and potential transformers is a violation of Regulation 45 (1) (ii) of Tamil Nadu Electricity Distribution Code.

d) In para 2 of Lr. No. CE/Comml/AEE1/F.TNERC/D. 147/08 dated 08.09.2008 Chairman / TNEB has reported that meter cost is being collected. This constitutes violation of Regulation 46 of the Tamil Nadu Electricity Distribution Code.

Therefore, the charges prescribed in Lr. No. CE/Comml/EET/AEE1/F.TNERC/D. 120/08 dated 14.08.2008 and the order of the Tamil Nadu Electricity Board on recovery of the cost of meters are stayed with immediate effect.

The Tamil Nadu Electricity Board are directed to forward to the Commission a copy of the instructions staying their earlier orders.

Pronounced in the open court by this Commission on 19<sup>th</sup> September 2008.

(Sd.....)

**(R. RAJUPANDI)**  
**Member**

(Sd.....)

**(B.JEYARAMAN)**  
**Member**

(Sd.....)

**(S.KABILAN)**  
**Chairman**

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Secretary  
Tamil Nadu Electricity  
Regulatory Commission