

current year (2009-10) too, as a result of which there is heavy accumulation of banked energy. They should be permitted to encash the accumulated wind energy remaining in the bank at the end of 2009-10 at the rate of Rs.3.50 per unit, which is the tariff applicable for HT industrial consumers. They justified it on the ground that a vast majority of the captive users of wind energy is industrial consumers. The petitioners further pleaded that peak hour generation should be available for peak hour consumption, whether drawn from current generation or from the bank.

15. The learned counsel for the TNEB in response to the arguments of the petitioners conceded that their memo dated 17-11-2008 permits adjustment of peak hour generation of captive power against peak hour consumption and therefore they have no objection to the plea of the petitioners in this regard. TNEB has, further, no objection to the utilization of current generation during the evening peak hours at par with thermal captive consumers.

16. After taking into account the submissions made by both the parties, the Commission directs as follows:-

(1) The base energy consumption and base demand shall be computed for all captive users including the wind energy captive users on the basis of the formula contained in the TNEB Memo No.CE/ Comm/EE/DSM/AEE/PMM/F. Power Cut/D.001/08 dated 1-11-2008;

(2) For any demand sanctioned after 1-10-2008, the additional energy quota and demand energy quota shall be as per the formula prescribed by the TNEB in Memo No.CE/Comm/EE/DSM/F.Powercut/D.001/2008 dated 1-11-2008;

(3) The demand and energy quota for the wind energy supplied after 1-11-2008 shall be fixed in accordance with the memo dated 17-11-2008 of TNEB;