



Energy (C3) Department,
Secretariat,
Chennai 600 009.

Letter (Ms.) No.121, Energy, dated 22-10-2008

From
Tmt. Smita Nagaraj, I.A.S.,
Principal Secretary to Government.

To
The Chairman,
Tamil Nadu Electricity Board
Chennai-2.

Sir,

Sub: Electricity – Shortfall in supply power – Revised instructions u/s 38 of Tamil Nadu Electricity Distribution Code – Issued.

Ref: 1. Government Letter (Ms.) No.113, Energy, dated 7.10.2008.
2. From the Chairman, Tamil Nadu Electricity Board Letter No.CE/PM&M/EE/DSM/ D.34/08, dated 22.10.2008.

I invite your attention to the letter first cited, in which Government has issued directions for certain restrictions on consumption of power in view of the current power shortage in the State.

2. In the letter second cited, it has been stated that the existing measures to regulate the supply and consumption of electricity in the State are inadequate and that there is a need to take further measures. Further it has also been stated that pursuant to the implementation of measures as directed in the letter first cited a number of representations have been received from consumers who have been adversely affected by frequent interruptions in supply of electricity.

3. It has been further informed that the present peak demand for electricity in the State during evening hours is in the range of 9000 MW to 9400 MW and the demand during day time is around 8800 MW. The present shortage of power is between 1800 MW and 2200 MW.

4. It has also been brought out that the hydro storage in Nilgiris system at present is around 852 MU, as against 1419 MU at the same time last year. Generation from hydro sources has to be restricted to 4.0 MU per day, since the available storage is to be utilized judiciously till the onset of the monsoon in June 2009.

5. It has also been stated that in order to reduce the hardship faced by the public and to facilitate supply of power during evening and night hours for lighting purpose, to ensure uninterrupted power supply for essential services and to enable industries and other consumers to plan their operations, the existing measures have to be revised.

6. After considering the various issues as stated above and the present position of power supply in the State, the Government, in exercise of the powers conferred under section 38 of the Tamil Nadu Electricity Distribution Code, as notified by the Tamil Nadu Electricity Regulatory Commission on 21-7-04, direct as follows:

- i) Rural Feeders: In rural areas, single phase supply shall be given for 14 hours in a day and 3 phase supply shall be given for 10 hours per day. Agriculturists may operate their pumpsets only during 3 phase supply i.e. 6 hours during day time and 4 hours during night time. Agriculturists shall not operate pumpsets during single phase supply.
- ii) Domestic services in urban areas shall be ensured power supply for a minimum 20 hours daily.
- iii) Demand and consumption restriction shall be imposed on HT industrial and commercial consumers to the extent of 40%. The demand charges on such consumers may be reduced proportionately.
- iv) Consumption restriction shall be imposed on LT-CT industrial and commercial consumers to the extent of 20%.
- v) LT industrial and commercial consumers consuming in excess of 2000 units bi-monthly shall be required to reduce their consumption by 20% and the ceiling for bi-monthly consumption may be fixed at 80% of their average bi-monthly consumption during the previous year. Power consumed over and above such ceiling of bi-monthly consumption shall attract a penal charge equivalent to 50% of the relevant tariff.
- vi) All HT and LT-CT industrial and commercial consumers should not draw power from the grid during evening peak hours from 6:00 PM to 10 PM. TNEB shall take action to disconnect service connections of consumers found to be violating this restriction and disconnected services shall be given connection only after 48 hours and only after paying the re-connection charges.
- vii) TNEB supply shall not be provided for lavish and decorative lighting for private functions, except for religious festivals organized at public places of worship.

7. The following services shall be exempted from demand and energy restrictions:

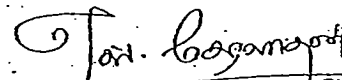
- i. Hospitals.
- ii. Central and State Government Buildings.
- iii. Foreign consulates.
- iv. Railway stations and traction services.
- v. Broadcasting and Television stations.
- vi. Telephone exchanges
- vii. Educational Institutions
- viii. Fertilizer industry
- ix. Milk chilling and processing plants
- x. Water & sewerage works, places of public worship, street lighting, Port trust, defence production units, defence services & establishments
- xi. Other services as may be exempted by Chairman, Tamil Nadu Electricity Board from time to time.

8. The above restrictions shall come into effect from November 2008.

9. The Government further direct that the Tamil Nadu Electricity Board may adopt such measures as may be necessary to implement the above directions.

10. The Tamil Nadu Electricity Board is further directed to petition the Tamil Nadu Electricity Regulatory Commission on any of the matters enumerated above in which prior approval of the Commission is deemed to be required.

Yours faithfully,



for Principal Secretary to Government.

Copy to

The Chairman, Tamil Nadu Electricity Regulatory Commission, Chennai.

The Secretary, Tamil Nadu Electricity Regulatory Commission, Chennai.

F P C / S 0001

TAMIL NADU ELECTRICITY BOARD

O/o. Chief Engineer/Commercial
Chennai-2.

Memo. No.CE/Comml/EE/DSM/F. Power Cut/D. 001 /2008, dated
01.11.2008

Sub: Electricity – Restriction & Control – Power cut for HT industrial and commercial services, LTCT services and LT Industrial & Commercial consumers – Working instructions – Issued – Regarding.

Ref: Govt. Letter.No (Ms.) No.121, Energy dated 22-10-2008.

As per the reference cited above, the Govt. of Tamil Nadu has announced 40% cut on base demand and energy for all HT industrial and commercial services covered under Tariff I & III and 20% cut on energy for LTCT industrial and commercial services in the above cited reference, with effect from 01.11.2008

In this connection, the following instructions are issued:-

I. HT SERVICES

- a. The cut of 40% is on the base demand and energy for HT industrial and commercial services.
- b. The base energy consumption for HT services will be the average of any three consecutive months advantageous to the consumer between the billing period from October 2007 to September 2008.
- c. The base demand will be the highest maximum demand registered in any month during the period from October 2007 to September 2008.
- d. While arriving at the base demand, if there is any reduction in demand effected during the period from October 2007 to September 2008 the maximum demand recorded during any month subsequent to reduction in demand shall be taken as base demand for fixing the demand quota.
- e. The minimum quota for any HT service shall be 70 KVA or their sanctioned demand whichever is less.
- f. All H.T. Industrial and Commercial consumers should not draw power from TNEB Grid during evening hours (18.00hrs to 22.00 hrs).

- g. However, during evening peak hours, the quota will be five percent of the quota fixed for demand and energy for HT industrial services, and ten percent of the quota fixed for demand and energy for commercial consumers, for essential lightning and security purposes.
- h. In case of reduction of sanctioned demand permitted after September 2008, the demand quota permitted shall not exceed 60% of the sanctioned demand after reduction.
- i. For additional load to existing HT service availed on or after 01.10.2008, their additional demand quota shall be fixed as 40% of the sanctioned demand and the additional consumption quota shall be 200 units per KVA for the load additionally sanctioned.
- j. The unutilized quota in any quota period will not be carried over to the subsequent period. Transfer of quota from a service which is under strike, lock-out, lay off and sick is not permissible.
- k. There shall be no demand and energy cut for HT services in rural feeders since they are coming under single phase arrangement.
- l. For HT services in rural feeder which are provided with fourth wire, demand and energy quota has to be fixed.
- m. All HT industrial and commercial services for which power supply has been given on or after 01.10.2008 shall be deemed as new service and the demand quota shall be fixed as 40% of the sanctioned demand and energy quota will be fixed at 200 units/KVA.
- n. In the case of continuous process industries and those HT services which cannot operate with the present level of cut, the Chief Engineer/ distribution concerned can fix such optimum/minimum demand as may be required to operate the industry, but this will be subject to the power supply being made available only for such restricted specified period depending upon the nature of process of the industry so as to keep with the overall capability of the grid.

Example :-

Sanctioned demand	2200 KVA
Recorded maximum demand	2000 KVA
Base quota fixed @ 60 %	1200 KVA

Total KVA days in a month	$1200 * 30 = 36000$ KVA days
<p>If the industry requires minimum 1800 KVA for operation and request TNEB to fix optimum demand to run the industry then the CE/Distribution may consider the request of the consumer. The consumer may be informed to run the industry for 20 days continuously (36000 KVA days / 1800 KVA) and not to run the industry for balance days of the month. Lighting load for security and essential activities may be permitted within the load already permitted for peak hour for the balance days.</p>	

O. The following services will be exempted from demand and energy cut:

- All Hospitals
- Central and State Govt. Buildings
- Foreign Consulates, Embassies
- Railway Station and traction service
- Radio broadcasting and television stations
- Printing facilities for Newspapers, weekly, fortnightly and monthly magazines
- All telephone exchanges
- Education institutions
- Fertilizer industry
- Milk chilling and processing plants
- Water and sewerage works
- Places of public worship
- Street light
- Port Trust
- Defence production units
- Defence services and establishments
- Other services as may be exempted by Chairman/TNEB from time to time.

II. LTCT SERVICES

- a. All category of LTCT industrial and commercial will be subjected to 20% energy cut, on base consumption.
- b. For LTCT industrial and commercial services the base consumption will be the average of any three consecutive months' energy consumption

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advantageous to the consumer between the billing period from October 2007 to September 2008.

- c. For LTCT services the energy quota will be on monthly basis. Unutilized quota in any quota period will not be carried over to the subsequent period.
- d. There shall be no energy cut for LTCT services in rural feeders since they are coming under single phase arrangement.
- e. LTCT Industrial and Commercial consumers should not draw power from TNEB Grid during evening hours (18.00hrs to 22.00 hrs) except as mentioned in para-f below.
- f. Evening peak hour quota will be five percent of base consumption of average of any three consecutive months advantageous to the consumers between the billing period from October 2007 to September 2008 for essential lighting and security purpose.

III. LT SERVICES

- a. ✓ LT industrial and commercial services consuming more than 2000 units bimonthly will be required to reduce their consumption by 20%. The consumption ceiling of these services will be fixed at 80% of their highest recorded bimonthly consumption (based on the bimonthly billing) during previous one year i.e. October 2007 to September 2008 subject to a minimum ceiling of 2000 units.
- b. The above process should start from December 2008 reading for one cycle and January 2009 reading for another cycle.
- c. Intimation letters to all HT industrial and commercial consumers fixing the quota on demand and energy should be issued in the prescribed specimen format by Superintending Engineer EDC concerned.
- d. Intimation letters to all LTCT/LT industrial and commercial consumers fixing the quota on demand and energy should be issued in the prescribed specimen format by Executive Engineer/O&M concerned.

IV. AGRICULTURAL SERVICES

- a. In rural areas three phase supply will be given for 10 hrs and single phase supply will be given for 14 hrs in a day. Due to this agriculturists

may operate their pump sets for ten hours i.e. 6 hrs during day time and 4 hrs during night time.

Group 1

Three phase

0600 hrs to 1200 hrs

2200 hrs to 0200 hrs (Next day)

Single phase

1200 hrs to 1800 hrs

0200 hrs to 0600 hrs

Group 2

1200 hrs to 1800 hrs

0200 hrs to 0600 hrs

0600 hrs to 1200 hrs

2200 hrs to 0200 hrs

(Next day)

b. For both groups during evening peak hours i.e. 1800 hrs to 2200 hrs, there will be single phase supply only.

c. Agriculturists may be requested not to operate their pump sets during single phase arrangement.

d. Large number of pamphlets should be printed by concerned Superintending Engineers/Distribution and distributed to every household in rural areas informing them not to operate agriculture pump sets during single phase arrangement timings. If they do so it will be very difficult for TNEB to extend 24 hrs power supply for their domestic use. Further wide publicity may be given through cinema slides in theatres and through local cable TV network regarding the above.

e. A large number of agriculture consumers are using capacitors during single phase timings to pump water. The above feeders should be identified. For each feeder agriculture load and other loads may be ascertained. For the above feeder, during single phase arrangement timing, a quantum of load has to be arrived at and communicated to Sub station operator. The operator in the substation should watch the load and if the load exceeds the limit fixed abnormally, load shedding has to be done to achieve the desired result of single phase supply.

f. Agricultural services should not operate their pump sets during single phasing and peak hour's timings. Notices may be served on such consumers informing them that the gadgets will be removed from them to prevent their using power by such methods.

g. Executive Engineer along with their field engineers should monitor the situation during single phase timing scrupulously. Executive Engineer

should watch the load available in each feeder and the relief obtained. The above figures should be available with Executive Engineers/O&M concerned. They must furnish the above details daily in the proforma communicated.

V. OTHER RESTRICTIONS

- a. All welding sets irrespective of connected load should not work between 6.00 P.M. and 10.00 P.M. in the evening.
- b. When the grid condition warrants some load reduction, then
 - i) In town and district headquarters feeders will be divided into 6 groups and supply interruption will be done not exceeding two hours in day time in rotation.
 - ii) Power supply will be cut in Chennai suburban for 2 hours in rotation from 06.00 A.M. to 06.00 P.M. with the existing arrangement that should be followed.
 - iii) Power supply in Chennai city will be cut for 1 ½ of hours in rotation from 06.00 A.M. to 06.00 P.M. with the existing arrangement that should be followed.
 - iv) For areas covered under (i) & (ii) during peak hours (6.00 PM to 10.00 PM) supply will be interrupted for 1 hour in rotation.
- c. Domestic services in urban areas will be ensured power supply for at least 20 Hrs. daily and rural areas 24 Hrs. daily.
- d. Except for religious festivals in public worship places, TNEB Electricity supply shall not be given for lavish and decorative lighting for private functions.

VI. INSPECTION AND MONITORING

- a. The Assistant Executive Engineer and Executive Engineer/Distribution shall inspect the HT services coming under the purview of power cut at least once a week and more frequently during the introduction of power cut so as to ensure that the demand and energy quota fixed is not exceeded by the consumer. Close monitoring of the demand recorded in each service shall be done with the help of officers in other wings like GCC, operation, MRT, central office, GRT etc, so as to prevent the consumer from exceeding the quota

- fixed. If at any time the consumer is found to be exceeding quota fixed the MD shall be reset immediately and appropriate action taken.
- b. The officer who inspects the service should enter the check reading in the consumer card and should authenticate it. If at a later date, it is found that the inspection officer has failed to detect/record the exceeding of quota, action should be taken against the officer.
 - c. Besides, Surprise Inspection Squads may also be formed in each Division and they shall undertake surprise inspection of HT/LTCT/LT industrial and commercial services of other Division so as to ensure that the industries are operating with their quota.
 - d. MD need not be reset if the quota is found not exceeded except at the time of taking monthly meter reading.
 - e. A weekly report shall be sent by the SE/EDC to CE/Commercial indicating the details of cases where the quota is found exceeded and the action taken thereon.
 - f. During peak hours HT/LTCT industrial and commercial consumers are to be instructed to switch off their centralized air-conditioners and should avail only lighting loads with minimum necessity for their security purposes. This should be checked by Surprise Inspection, with reference to the quota fixed.
 - g. The details of base demand and energy quota fixed in respect of each HT services shall also be furnished immediately to CE/Commercial.
 - h. In addition to the above, a monthly return on the consumption of energy for each HT/LTCT services coming under the purview of power cut shall be sent to CE/Commercial containing the following details. This return may be sent every month from November 2008 onwards till the power cut is lifted.
 - i. Average monthly consumption during 2007-2008
 - ii. Average monthly consumption during peak hour for 2007-2008
 - iii. Monthly consumption during the billing month after power cut is introduced.
 - iv. Monthly consumption during peak hour in the billing month after power cut is introduced.

TAMIL NADU ELECTRICITY BOARD
Technical Branch

144, Anna Salai,
Chennai-600 002.

Memo.CE/Comm/EE/DSM/AEE/PMM/F.Powercut/D.28/2008,

dt. 17.11.2008

Sub: Electricity – Restriction & Control – Generation of Power through Captive Power Plants by HT Consumers – Representation to exempt Captive Generation from Power cut – Fixing of quota – Instruction Reg.

Ref: Representation from HT Industrialist.

A large number of representations have been received from H.T. Consumers having Captive Power Plants requesting exemption from power cut, as they are unable to utilize the energy generated through their Captive Power Plants, since the quota fixed is 60% of their base demand.

They have requested to fix the quota as aggregate total of 60% of their TNEB supply and 100% of the power received from CPPs. Further they have also requested for permission to use the power from CPPs during evening hours.

In this connection, the following instructions are issued:-

The SEs of concerned EDC may fix demand and energy quota for HT Consumers partially using power from CPPs as stated below:-

Fixing of Energy quota:-

- | | | | |
|-------|--|---|-----------|
| (i) | Monthly base energy consumption as illustrated in working instructions dated 1.11.2008. | } | |
| (ii) | In that the actual energy supplied (monthly average) for the above three months average by the CPP | } | A |
| (iii) | The actual energy availed by consumer from TNEB | } | B |
| | | } | A = B = C |
| (iv) | 60% energy on C ($C \times 60/100$) | = | D |
| (v) | The quota fixed for energy | = | B + D |

Fixing of Demand quota:-

- (i) The base demand consumption as illustrated }
in working instructions dated 1.11.2008. } E
- (ii) In that the calculated demand supplied }
for the Energy for the month by CPP } F

$$F = \frac{\text{Energy supplied by CPP in a month}}{\text{No. of days in the month} \times 24 \text{ hours} \times \text{P.F. } 0.95}$$

- (iii) The actual demand availed by consumer }
From TNEB } E - F = G
- (iv) 60% demand of G ($G \times 60/100$) = H
- (v) The demand quota fixed = F + H

(Calculation of demand supplied by generator may be worked out on par with calculation made for wheeling of power to the captive consumers as communicated in CE/PPP memo. dated 6.11.2007 and subsequent amendment thereof).

The Superintending Engineers/Electricity Distribution Circle should get a letter from the CPP for each HT service connection they intend to supply power before fixing quota.

The SEs of the circle where the generator unit is available will arrange to take a check reading on every Saturday slot wise and the details of energy actually sent out and shared by various industries who have wheeled energy from the generator should be communicated to the SEs concerned where the HT service are available by every Monday. The SE of the circle where the HT Service availing the wheeled energy, is situated will check the actual consumption with respect to the total quota fixed and take appropriate action.

At the time of every weekly check/monthly reading the concerned SEs should closely watch the demand and energy used by the consumer and compare it with the deemed demand and energy supplied by the generators. If there is any violation of the demand quota and energy as determined above, then the excess demand charges may be collected for the excess energy used from TNEB Grid at the rate to be specified by TNERC.

Illustration:-

Similarly for evening hours i.e. 18.00 to 22.00 Hrs. the demand quota will be as follows:-

- | | | | |
|-------|--|----------|-------------------------------------|
| (i) | The calculated demand supplied for the Energy during evening hour slot by CPP | }
} | F1 |
| (ii) | 5% in case of HT Industrial Consumers or 10% of HT Commercial Consumer of the TNEB supplied demand quota fixed | }
} | $H \times 5\% \text{ or } 10\% = J$ |
| (iii) | Peak Hour Demand quota | \equiv | $F1 + J$ |

Similarly for evening hours i.e. 18.00 to 22.00 Hrs. the energy quota will be as follows:-

- | | | | |
|-------|--|--------|-------------------------------------|
| (i) | The actual energy supplied during evening Hour slot by CPP | }
} | B1 |
| (ii) | 5% in case of HT Industrial Consumers or 10% of HT Commercial Consumer of the TNEB supplied energy quota fixed | }
} | $D \times 5\% \text{ or } 10\% = K$ |
| (iii) | Peak Hour Demand quota | $=$ | $B1 + K$ |

The un-utilized quota will not be carried over to the subsequent period.

In the above method the consumer may use their full wheeled energy without any cut. However, the H.T Consumers having Group Captive Power Plants will be permitted to use their wheeled energy only on slot to slot basis.

The consumer shall not exceed demand/energy quota fixed for the TNEB power for any reasons, either due to outage of generator of their supplier or short supply from their supplier, etc., it is their responsibility to monitor this with their generator. The excess demand/energy charges shall be collected as prescribed by TNERC for the quota violated. In addition, the excess energy shall be deducted from the coming months quota of TNEB power and quota fixed accordingly in the respective month ensuring that quota fixed shall not be exceeded by the consumer in any month.

Further an undertaking has to be obtained from the consumer by concerned SEs/EDC agreeing to pay the excess demand charges for the demand quota fixed and energy used by the consumer from TNEB as fixed by the TNERC.

Sd-

(V. NALENDHAN),
CHIEF ENGINEER/COMMERCIAL,
For CHAIRMAN.

Encl: An Illustration

To

All Chief Engineers/Distribution Region.
The Chief Engineer/PPP/TNEB/Chennai.
All Superintending Engineers/Electricity Distribution Circles.

Copy to

The Superintending Engineer/Chairman's Office/TNEB/Chennai-2.
The Superintending Engineer/ Member (Distribution)'s Office/TNEB/Chennai-2.
The Executive Engineer to Member (Generation)/TNEB/Chennai-2.
The Executive Assistant to Member (Accounts)/TNEB/Chennai-2.
The Chief Financial Controller/General/TNEB/Chennai-2.
The Chief Financial Controller/Revenue/TNEB/Chennai-2.
The Chief Internal Audit Officer/TNEB/Chennai-2.
The Director/Computer Centre, TNEB, Chennai-2.

E1/D/DSM/Power cut

ILLUSTRATION

Demand quota fixed:

Sanctioned demand	=	2000 KVA
Base demand fixed	=	1800 KVA
The deemed demand calculated based on energy supplied by the CPP	} =	1000 KVA
Demand supplied by TNEB	=	$1800 - 1000 = 800$ KVA
40% cut on demand supplied by TNEB	=	$800 \times 40/100 = 320$ KVA
60% quota fixed	=	$800 - 320 = 480$ KVA
Quota fixed	=	$1000 + 480 = 1480$ KVA

Energy quota fixed:

Base Energy calculated	=	1,00,000 units
The energy supplied by the CPP	=	80,000 units
Units supplied by TNEB	=	20,000 units
40% cut on energy supplied by TNEB	=	$20000 \times 40/100 = 8000$
60% of the energy quota fixed	=	$20000 - 8000 = 12000$
Energy quota fixed	=	$80000 + 12000 = 92000$

Peak Hour quota for Demand

60% quota fixed on TNEB supplied demand = 480 KVA

5% in case of HT Industrial Consumers }
or 10% of HT Commercial Consumer of }
the TNEB supplied demand quota fixed } $480 \times 5 \text{ or } 10/100 =$
= 24 or 48 KVA

Peak hour demand quota = Actual deemed demand
calculated based on energy
supplied in peak hour slot
+ 24 or 48 KVA

Peak Hour quota for Energy

60% quota fixed on TNEB supplied energy = 12000 units

5% in case of HT Industrial Consumers }
or 10% of HT Commercial Consumer of }
the TNEB supplied demand quota fixed } $12000 \times 5 \text{ or } 10/100 =$
600 or 1200 units

5 or 10% of the above = $12000 \times 5 \text{ or } 10/100$

= 600 or 1200 units

Peak hour energy quota = Actual energy supplied by CPP
in peak hour slot + 600 or
1200 units

TAMIL NADU ELECTRICITY BOARD
Technical Branch

144, Anna Salai,
Chennai-600 002.

Memo.No.CE/Comml/EE/DSM/AEE/PMM/F.Power cut/D.394/09,dt.31.08.09

Sub: Electricity – Restriction & Control measures – Peak hour restriction
– Refixing of demand quota for continuous process and other
industries – Instruction issued –Reg.

As per the clause I(n) of the R&C order dt 1.11.08 communicated, optimum demand as may be required to operate the HT industries is being fixed in the case of continuous process industries and other HT industries based on the representation of the consumers. Such industries have been requested to work for a restricted number of days in a month and not to run the industries for the balance days.

Now, it is reported that in some of the Regions, the consumer are permitted to work with 2 or 3 days holidays by fixing optimum demand in the revised power cut.

In this connection, the following instructions are issued:-

1. Due to revised and relaxation of power cut, if the consumer demand quota is equal or more than the existing optimum demand, the request to revise optimum demand based on the revised demand quota shall not be allowed and as such whatever the demand quota revised due to relaxation of power cut shall be fixed as demand quota. For the above category, optimum demand can not be permitted.
2. For the existing optimum demand, due to increase in demand quota based on the relaxation of power cut, if the number of continuous working days is increased, the actual number of days works out shall only be permitted. In the above condition, if the number of continuous working days exceeds more than 25 days, then the consumers should avail minimum 5 days as holiday (30 days x 4 hours (peak hours 6 to 10 hrs = 120 hours = 5 days) for the billing month for availing peak hour exemption in respect of continuous process.
3. In respect of non - continuous industries, they may be permitted to work for the actual number of days arrived as per 1(n) of the working instruction with peak hour restrictions.
- 4.. Each and every time, based on the written request for optimum demand, the above condition for optimum utilisation may be informed to the consumer and after getting written consent, appropriate order may be issued.
5. Optimum demand concept is applicable for those consumers availing Board's power only. Optimum demand will not vary and once opted is final.

6. Those continuous process industries notified by Govt. (ie. lists already communicated) and if opted for continuous running with optimum demand, peak hour restriction need not be insisted. Industries other than continuous process industries notified by Govt. and if opted for running with optimum demand, peak hour restriction shall be insisted (as already instructed in CH. (CFC/ Rev)Memo. dt. 16.3.09)

(By order of the Chairman)

(V.NALENDRAN)
CHIEF ENGINEER/ COMMERCIAL

To
All Chief Engineers /Distribution Region
All Superintending Engineers/ EDC

Copy submitted to the Chairman's Table.
Copy submitted to the Member (Distribution)/TNEB.
Copy to the Chief Financial Controller/Revenue.
Copy to the Chief Internal Audit Officer/BOAB/Chennai-2.
Copy to the Director/Computer Centre

(4)

TAMIL NADU ELECTRICITY BOARD
Technical Branch

144, Anna Salai,
Chennai-600 002.

Memo.No.CE/CommI/EE/DSM/AEE/PMM/F.Power cut/D. 398 /09,dt. 3 .09.09

Sub: Electricity – Restriction & Control measures – Issuing of 48 hrs notice for exceeding Peak hour quota restriction – Clarification issued – Reg.

Of late, representations received that the peak hour quota now fixed at 5% may be increased to 10% or alternatively as being done for the normal period exceeding of demand quota, if the peak hour quota is exceeded within 10% (of the 5% peak hour quota) for two occasions, it may be condoned and increase over 10% of peak hour quota either for first time or after two such condonations may be considered for serving of 48 hrs notice.

In this connections, it is clarified that the para No.4 of the intimation letter communicated for fixing of quota to the consumer shall be applied for both the normal and peak hours demand exceeding cases viz. The excess demand recorded over and above the quota upto 10% will be recorded and power supply continued by resetting the maximum demand indicator. This facility is permitted only for the two such occasion in a month. The violation of the demand quota which is either exceeding the demand quota by more than 10% or within 10% but repeated for the third time in the same month, 48hrs notice will be issued and during that period 5% of demand and energy quota alone will be permitted for lighting purpose.

(By order of the Chairman)

(V.NALENDRAN)
CHIEF ENGINEER/ COMMERCIAL

To
All Chief Engineers /Distribution Region
All Superintending Engineers/ EDC
Copy submitted to the Chairman's Table.
Copy submitted to the Member (Distribution)/TNEB.
Copy to the Chief Financial Controller/Revenue.
Copy to the Chief Internal Audit Officer/BOAB/Chennai-2.

TAMIL NADU ELECTRICITY BOARD
Technical Branch

144, Anna Salai,
Chennai-600 002.

Memo.No.CE/Commi/EE/DSM/AEE/PHM/F.Power cut/D. 401 /09,dt. 7.09.09

Sub: Electricity - Restriction & Control measures - Peak hour restriction -
Increase in percentage for transformer loss for fixing quota -
Requested - Reg.

Ref: Memo.No.CE/Commi/EE/DSM/AEE/PHM/F.Power cut/D.177 /09,dt. 31.3.09

Representations are being received for increasing transformer loss as the transformer loss at 1% of the transformer capacity is inadequate because of installations higher capacity transformer than the sanctioned demand, etc at consumer end and it results in higher transformer loss and found exceeding of demand quota during peak hour.

In this connection, it is informed that as per the TNERC supply code, transformer loss at 1% of the transformer capacity has been taken for calculation and accordingly instruction has been issued in the reference cited to fix demand quota during peak hour at 5%/10% of the demand quota plus 1% of the transformer capacity.

(By order of the Chairman)

(V.NALENDRAH)

CHIEF ENGINEER/ COMMERCIAL

To
All Chief Engineers /Distribution Region
All Superintending Engineers/ EDC
Copy submitted to the Chairman's Table.
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**Tamil Nadu Electricity Board
Technical Branch**

144, Anna Salai,
Chennai -600 002

Memo.No.CE/Comml/EE/DSM/ AEE/ F.Power cut/D.454/09,dt.9.10.09

Sub: Electricity – Restriction & Control measures – Fixing of optimum demand quota to HT Industrial consumers– Clarification -Reg.

Ref:Memo.No.CE/Comml/EE/DSM/AEE/F.Power cut/D.394/09,dt.31.8.09

In the circular memo. reference cited above, instruction has been issued in regard to fixing of Optimum demand quota to HT Industrial consumers. Now, CEs/D have raised some clarifications in this connection.

In this regard, the following clarifications are issued :-

1. In the Circular Memo. dt.31.8.09, it is clearly informed that optimum demand once opted is final. Now, some of CEs/D & SEs/EDC are requesting clarification in that, what optimum demand opted by the consumer has to be taken as final since many of the consumers have changed their optimum demand during relaxation of power cut from 40% to 20%. For the above said cases and as well as for other optimum demand consumers, the existing optimum demand is the final one.

2. If requested, the concept of optimum demand may also be permitted to consumers who have availed transfer of quota and got additional/reduction of demand. Optimum demand may be fixed after getting the option from the consumers by including the quota transferred and additional/reduction of demand availed.

3. All the above is also applicable to new /old consumers.

4. Those who are eligible under deemed demand concept as per the memos.dt.19.12.08, dt.4.8.09 and 21.8.09 for Wind energy, CPP and Third party power purchase are not eligible for Optimum demand concept.

(By order of the Chairman)

(V.NALENDRAN)
CHIEF ENGINEER/ COMMERCIAL

To
All Chief Engineers /Distribution Region
All Superintending Engineers/ EDC
Copy to the Chief Financial Controller/Revenue.
Copy to the Chief Internal Audit Officer/BOAB/Chennai-2.
Copy to the Director/Computer Centre
EE/DSM/power cut memo.doc.

**Tamil Nadu Electricity Board
Technical Branch**

144, Anna Salai,
Chennai -600 002

Memo.No.CE/Comm/EE/DSM/AEE/PMM/F.Power cut/D.508/09,dt. 25.11.09

Sub: Electricity – R&C-Direction issued by TNERC in the Suo-Motu Proceedings No.1 of 2009, dt. 28.10.2009 – Fixation of quota for all Captive users including the Wind Energy Captive users – Instruction issued -Reg.

- Ref:1. Memo.No.CE/Comm/EE/DSM/AEE/PMM/F.Powercut/D.001/08,
dt.1.11.08
2. Memo.No.CE/Comm/EE/DSM/AEE/PMM/F.Powercut/D.28/08,
dt.17.11.08
3. TNERC Suo-Motu Proceedings No.1 of 2009, dt. 28.10.2009.

Pursuant to the Suo-Motu Proceedings issued by TNERC , the following instructions are issued :-

Circular Memo.No.CE/Comm/EE/DSM/AEE/PMM/F.Power cut/D.28/08, dt.17.11.08 is approved by TNERC .

Circular memo.No.CE/Comm/EE/DSM/AEE/PMM/F.Power cut/D.87/08, dt.19.12.2008, memo.No.CE/Comm/EE/ DSM/AEE/PMM/F. Power cut/D.348/08, dt. 4.8.2009 and memo.No.CE/Comm/EE/DSM/AEE/PMM/F. Power cut/D.359/08, dt.21.8.2009 are stand cancelled .

Based on the above, the quota to be fixed to all captive users including the wind energy captive users based on the circular memo.dt.17.11.08 only in three parts. First Part for the period from 1.11.2008 to 30.4.2009, second part for the period from 1.5.09 to 31.10.09 and the Third Part for the period from 1.11.2009 onwards.

First Part from 1.11.2008 to 30.4.2009

(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.

(4) Wind energy banked as on 1-11-2008 shall be adjusted in five equal monthly installments between 1-12-2008 and 30-4-2009 and equivalent additional demand and additional energy quota should be allotted to them.

(5) Demand quota and energy quota after being redrawn in accordance with the above directions shall be set off against the actual demand and energy consumed between 1-11-2008 and 30-4-2009.

(6) Excess demand charges and excess energy charges for the period from 1-11-2008 to 30-4-2009 shall be computed with reference to the redrawn demand and energy quota.

Ia) Fixing of quota from 1.11.2008 to 30.4.2009:-

The demand and energy quota for the wind energy supplied from 1-11-2008 to 30.11.08 shall be fixed in accordance with the memo dated 17-11-2008 and accordingly billed and excess energy and demand charges shall be levied.

Fixing of Energy quota from 1.12.2008 to 30.4.2009:-

- | | | | | |
|------|--|---|---|---|
| (i) | Monthly base energy consumption as illustrated
in working instructions dated 1.11.2008. | } | - | A |
| (ii) | The energy supplied for captive use | } | - | B |

(B is actual energy wheeled inclusive of all captive power on the month +1/5 of the banked energy as on 1.11.2008)

- | | | | | |
|-------|--|---|---|-------|
| (iii) | The actual energy availed by consumer
from TNEB | } | - | C |
| (iv) | 60% energy on C (C x 60% /100) | = | | D |
| (v) | The quota fixed for energy | = | | B + D |

(B, D should be shown separately without adding)

The above B shall not exceed A and shall be divided into two part as normal & peak hours for both actual energy wheeled inclusive of all captive power on the month + 1/5 of the banked energy.

Ib) Fixing of Demand quota from 1.12.2008 to 30.4.2009:-

- | | | | | |
|------|--|---|---|---|
| (i) | The base demand consumption as illustrated
in working instructions dated 1.11.2008. | } | - | E |
| (ii) | The Demand supplied for captive use | } | - | F |

$$F = \frac{\text{Energy supplied by captive user in a month}}{\text{No. of days in the month} \times 24 \text{ hours} \times P.F.}$$

(F is the actual demand wheeled inclusive of all captive power on the month +1/5 of the demand for banked energy as on 1.11.2008)

- | | | | | |
|-------|------------------------------------|---|---------|---|
| (iii) | The actual demand supplied by TNEB | } | E - F = | G |
| (iv) | 60% demand of G (G x 60% / 100) | = | | H |
| (v) | The demand quota fixed | = | F + | H |

(F, H should be shown separately without adding)

The above F shall not exceed E and shall be divided into two part as normal & peak hours for both actual demand wheeled inclusive of all captive power on the month and 1/5 of the demand for banked energy.

Ic) Excess demand and energy charges should be levied for part one :-

a. When normal hour recorded demand (minus) normal hour demand actually wheeled & demand for 1/5th of the banked energy (F) exceeds H, then excess demand charges shall be levied.

b. When peak hour recorded demand (minus) peak hour demand actually wheeled & 1/5th of the banked peak hour demand computed (F) exceeds peak hour 5% quota, then excess demand charges shall be levied.

c. When normal hour recorded energy (minus) normal hour energy actually wheeled & 1/5th of the banked energy (B) exceeds D, then excess energy charges shall be levied.

d. When peak hour recorded energy (minus) peak hour energy actually wheeled & 1/5th of the banked peak hour energy (B) exceeds peak hour energy quota of 5% quota, then excess energy charges shall be levied.

(7) The High Court has directed that the banked energy to the credit of the wind energy generators as on 31-3-2009 shall not lapse. Accordingly, TNERC direct that any surplus banked energy remaining unadjusted on 30-4-2009 would be eligible for encashment. (Instruction for this point will be issued separately by CE/NCES wing).

Second Part from 1-5-2009 to 31-10-2009

(8) For the period from 1-5-2009 to 31-10-2009, the formula for computation of energy quota and demand quota contained in the circular of TNEB dated 17-11-2008 shall apply, that is, with effect from 1-5-2009 they are entitled to demand quota for current generation in accordance with the formula of 17-11-2008; if the energy quota and demand quota during this period has been exceeded by the captive user, he will be entitled to draw from the energy banked during this period to the extent of adjusting the excess demand and excess energy consumption.

(9) The excess demand charges and excess energy charges for the period from 1-5-2009 to 31-10-2009 shall be determined with reference to the demand and energy quota calculated in accordance with para (8) above.

IIa.) Fixing of Energy quota from 1-5-2009 to 31-10-2009:-

- (i) Monthly base energy consumption as illustrated }
in working instructions dated 1.11.2008. } - A
- (ii) The energy supplied for captive use } - B
(B is actual energy wheeled inclusive of all captive
power on the month)
- (iii) The actual energy availed by consumer from TNEB } A - B = C
- (iv) 60%, 70% & 80% energy on C (C x 60%, 70% & 80% /100) = D
- (v) The quota fixed for energy = B + D

(B, D should be shown separately without adding)

The above B shall not exceed A and shall be divided into two part as normal & peak hours for the energy already wheeled.

IIb) Fixing of Demand quota from 1-5-2009 to 31-10-2009:-

(i) The base demand consumption as illustrated }
in working instructions dated 1.11.2008. - E

(ii) The Demand supplied for captive use } - F

$$F = \frac{\text{Energy supplied by captive user in a month}}{\text{No. of days in the month} \times 24 \text{ hours} \times P.F}$$

(F is actual demand for the energy wheeled inclusive
of all captive powers on the month)

(iii) The actual demand supplied by TNEB } E - F = G

(iv) 60%, 70% & 80% demand of G ($G \times 60\%, 70\% \& 80\% / 100$) = H

(v) The demand quota fixed = F + H

(F, H should be shown separately without adding)

The above F shall not exceed E and shall be divided into two part as
normal & peak hours for the demand already wheeled

IIc) Excess demand and energy charges should be levied for part 2:-

a. When normal hour recorded demand (minus) normal hour demand wheeled (F) exceeds H, then adjust the demand computed for normal hours banked energy to the extent of adjusting the excess demand if available. Even after adjustment, if there is balance, then excess demand charge shall be levied.

b. When peak hour recorded demand (minus) peak hour demand wheeled (F) exceeds peak hour 5% quota, then adjust the demand computed for peak hour banked energy to the extent of adjusting the excess demand if available. Even after adjustment, if there is balance, then excess demand charges shall be levied.

c. When recorded energy for the normal hours (minus) energy wheeled for the normal hours (B) exceeds D, then adjust the normal hours banked energy to the extent of adjusting the excess energy if available, Even after adjustment, if there is balance, then excess energy charges shall be levied.

d. When peak hour recorded energy (minus) peak hour energy wheeled (B) exceeds peak hour energy quota of 5% quota, then adjust the peak hour banked energy to the extent of adjusting the excess energy if available, Even after adjustment, if there is balance, then excess energy charges shall be levied

Third Part from 1.11.2009 onwards:-

(10) For the future, from 1-11-2009 the base demand and base energy may continue to be fixed with reference to the formula laid down by TNEB in their memo dated 1-11-2008.

(11) Unutilised banked energy available as on 1-11-2009 may be utilized by the wind captive users in five equal monthly installments from 1- 11-2009 upto 31-3-2010 in addition to current generation of that month.

(12) The energy which remains in the bank of wind energy generators as on 1-11-2009 after adjustment in accordance with para (8) above, shall be available for consumption of the wind energy captive user between 1-11-2009 and 31-3-2010 in five equal monthly installments. In addition, current generation would also be eligible for additional energy and additional demand quota; both current generation as well as the energy drawn from the bank would count for computation of equivalent demand.

(13) From 1-11-2009, all captive users, whether thermal or wind, shall declare on the first day of every month, the energy proposed for captive use for the following month, which shall be considered as B and F for the purpose of energy quota and demand quota respectively in terms of the memo of TNEB dated 17-11-2008; the energy so declared shall roughly be the monthly average generation.

(14) From 1-11-2009, peak hour current generation as well as peak hour banked energy shall be eligible for peak hour utilization every month subject to the limit of one-twelfth of annual peak hour generation.

(15) Energy which remains unutilized as on 31-3-2010 shall be eligible for encashment (Instruction for this point will be issued separately by CE/NCES).

IIIa) Fixing of Energy quota from 1.11.2009 onwards:-

(i) Monthly base energy consumption as illustrated }

in working instructions dated 1.11.2008. }

- A

- (ii) The energy proposed for captive use for the following month as per the direction of TNERC vide Para No.13 & 14 of Suo -motu proceedings dt.28.10.09 } - B

B is 1/5 of the banked energy available as on 1.11.09 shall be added for the period from 1.11.09 to 31.3.2010 + current generation to be wheeled inclusive of all captive powers (Roughly monthly average Generation as declared by the consumer at the 1st day of every month for the following month)

- (iii) The actual energy to be availed by consumer from TNEB } $A - B = C$
 (iv) 80% energy on C ($C \times 80/100$) = D
 (v) The quota fixed for energy = B + D

(B, D should be shown separately without adding)

The above B shall not exceed A and shall be divided into two part as normal & peak hours for the energy to be wheeled.

(For peak hour , from 1-11-2009, peak hour current generation as well as peak hour banked energy shall be eligible for peak hour utilization every month subject to the limit of one-twelfth of annual peak hour generation).

IIIb) Fixing of Demand quota from 1.11.2009 onwards:-

- (i) The base demand consumption as illustrated }
 in working instructions dated 1.11.2008. } - E
 (ii) The demand proposed for captive user for the following month as per the direction of TNERC vide Para No.13 & 14 of Suo -motu proceedings dt.28.10.09 } - F

$$F = \frac{\text{Energy supplied by captive user in a month}}{\text{No. of days in the month} \times 24 \text{ hours} \times P.F}$$

F is 1/5 of the banked energy demand available as on 1.11.09 shall be added for the period from 1.11.09 to 31.3.2010 + demand for the current generation to be wheeled inclusive of all captive powers as given by the consumer at the 1st day every month for the following month

(iii) The actual demand to be supplied by TNEB } $E - F = G$

(iv) 80% demand of G ($G \times 80/100$) = H

(v) The demand quota fixed = F + H

(F, H should be shown separately without adding)

The above F shall not exceed E and shall be divided into two part as normal & peak hours for the demand to be wheeled.

For peak hours, from 1-11-2009, peak hour demand current generation as well as peak hour banked energy demand shall be eligible for peak hour utilization every month subject to the limit of one-twelfth of annual peak hour generation.

IIIC) Excess demand and energy charges should be levied for part 3 :-

a. When normal hour recorded demand (minus) normal hour demand actually supplied and demand for 1/5 of the banked energy (for the period from 1.11.09 to 31.3.2010) exceeds H, then excess demand charges shall be levied. (Demand actually supplied means the consumer actually supplied demand in the already declared quantum in F). F is 1/5th of banked energy and energy already declared by the consumers for the month which shall not exceed E.

b. When peak hour recorded demand (minus) peak hour demand actually supplied and demand for 1/5 of the peak hour banked energy (for the period from 1.11.09 to 31.3.2010) exceeds peak hour quota of 5%, then excess demand charges shall be levied. (Demand actually supplied means the consumer actually supplied demand in the peak hour already declared quantum in F) F is 1/5th of banked energy and energy already declared by the consumers for the month which shall not exceed E (peak hour)

c. When normal hour recorded energy (minus) normal hour energy actually supplied within the proposed quantum and 1/5 of the banked energy (for the period from 1.11.09 to 31.3.2010) exceeds D, then excess energy charges shall be levied. (Energy actually supplied means the consumer actually supplied energy for the month in the already declared quantum in B) B is 1/5th of banked energy and energy already declared by the consumers for the month which shall not exceed A)

d. When peak hour recorded energy (minus) peak hour energy actually supplied within the proposed quantum and $1/5$ of the peak hour banked energy (for the period from 1.11.09 to 31.3.2010) exceeds peak hour energy quota of 5%, then excess energy charges shall be levied. (Energy actually supplied means the consumer actually supplied energy in the peak hour as already proposed and declared in B) B is $1/5^{\text{th}}$ of banked energy and energy already declared by the consumers for the month which shall not exceed A (peak hour)

(16) If a consumer opts out of wheeling agreement and becomes an ordinary consumer, A and E referred in the memo dated 17-11-2008 shall be deemed to be the base energy and base demand. In that case, the consumer is eligible only for 5% of the demand and energy quota during peak hours.

For the above case consumers, B and F are zero, the quota shall be fixed on A & E

Based on the above procedure, quota may be fixed for the past /future periods to the consumers as per the eligible percentage of quota of 60%, 70% & 80% prevailed for the respective periods of past and future in super-session to earlier memos. dt.19.12.08, dt.4.8.09 & dt.21.8.09.

The consumer shall not exceed demand/energy quota fixed for the TNEB power for any reasons, either due to outage of generator of their supplier or short supply from their supplier, etc., it is their responsibility to monitor this with their generator. The excess demand and energy charges shall be collected as prescribed by TNERC for the quota violated.

For the above procedure, the detailed billing and working procedure will be evolved and communicated by the CFC/Revenue for calculation

For Para No. 7 & 15, regarding payment for banked energy of Suo - Motu proceedings No.1, dt.28.10.2009 of TNERC, separate instruction from CE/NCES will be issued.

(By order of Chairman)

sd---

(V.NALENDRAN)
CHIEF ENGINEER/ COMMERCIAL

To

All Chief Engineers/Distribution Region

All Superintending Engineers/ EDC

The Chief Engineer / NCES / to take necessary action for para 16

regarding direction 7 & 15

**Tamil Nadu Electricity Board
Technical Branch**

144, Anna Salai,
Chennai - 600 002

Memo.No.CE/Comm/EE/DSM/AEE/PMM/F.Power cut/D.050/10,dt.28.01.10

Sub: Elec. - Restriction and control measure - Extending of facility of
Optimum demand concept to HT consumers - clarification - Reg.

Ref: 1. Memo.No.CE/Comm/EE/DSM/F.Power Cut/D.001/2008, dt. 1.11.08.

2. Memo.No.CE/Comm/EE/DSM/AEE/PMM/F.Power Cut/
D.394/09, dt. 31.8.09.

3. Memo.No.CE/Comm/EE/DSM/AEE/PMM/F.Power Cut/
D.454/09, dt. 9.10.09.

In the above cited memo. references, instructions have been issued
in regard to fixing of optimum demand quota.

Now, pursuant to the issue of Suo-Motu Proceeding No.1 /2009
dt.28.10.09 for fixing of quota to all power wheeling consumer and Order No.1 of
2010, dt.5.1.2010 for extending power on reliability charges by TNERC, the last
para 4 of CE/Comm/EE/DSM/AEE/PMM/F.Power cut/D.454/09, dt.9.10.09 is
superseded by the following.

"Those consumers who are coming under TNERC Suo -motu
Proceedings No.1/2009, dt. 28.10.09 (TNEB working instruction memo. dt
25.11.09) for availing of other sources power viz. wind energy, thermal, CPP,
Third party power purchase, etc and TNERC order No.1 of 2010,
dt.5.1.2010 (TNEB working instruction memo. dt.22.1.10) for availing Reliability
power are not eligible for optimum demand concept."

(By order of Chairman)


CHIEF ENGINEER/COMMERCIAL

To
All Chief Engineers/Distribution Region
All Superintending Engineers/ EDC
The Chief Financial Controller/Revenue/ Chennai
Copy to the Superintending Engineer / Chairman's Office

Tamil Nadu Electricity Board
Technical Branch

144, Anna Salai,
Chennai - 600 002

Memo.No.CE/Comm/EE/DSM/AEE1/F.Power cut/D.103/10, dt. 12.3.10

Sub: Elec. - Restriction and control measure - Fixing of Base Energy & base demand for consumers obtained additional demand - requested - Reg.

Ref: Lr.No.CED/ CNR/ EE/Tech/ AEE/T2/ F.R&C Let/ D.812/10, dt.12.2.10

Based on the clarification sought by CE/D/ Chennai North Region in regard to fixing of the base energy and base demand for those HT consumers who have obtained additional demand, the following instructions are issued:-

The base demand and based energy for the above case shall be arrived as follows in the existing 20% power cut:-

50% of additionally sanctioned demand

0.8

= Base demand

250 units /KVA for the additionally sanctioned demand

0.8

= Base Energy

(V.NALENDRAN)

CHIEF ENGINEER/COMMERCIAL
FOR MEMBER (DISTRIBUTION)

To
All Chief Engineers /Distribution Region
All Superintending Engineers/EDC

Tamil Nadu Electricity Board
Technical Branch

144, Anna Salai,
Chennai - 600 002

Memo.No.CE/Comm/EE/DSM/AEE1/F.Power cut/D.156/10.dt.17.4.10

Sub: Electricity - R&C measure - TNERC Suo-Motu Proceedings
No.1/2009 - Instructions issued for implementation - Strict
adherence of instruction - Reg.

Ref: Memo.No.CE/Comm/EE/DSM/AEE/PM/F.Power cut/D.508/09, dt.25.11.09

Tamil Nadu Electricity Regulatory Commission in its Suo-Motu Proceedings No.1/2009, dt.28.10.09 have issued a procedure for re-fixing of quotas for all captive users including wind energy.

The above TNERC direction has been communicated to all CEs/D & SEs/EDC vide memo. dt.4.11.09 for informing the consumers and for intimation of their proposed wheeling of other sources of energy to TNEB by consumers. Subsequently, a detailed working instruction memo dt.25.11.09 has been issued for implementing the above TNERC order.

In this connection, all CEs/D & SEs/EDC are instructed as follows:-

1. As per the TNERC Suo-Motu Proceedings No.1/2009, dt.28.10.09, HT consumers those who are wheeling energy under open access from all captive uses including wind energy shall intimate their proposed wheeling of energy on the 1st of every month to the concerned SEs/EDC for the following month usage.
2. On receipt of the above, all CEs/D & SEs/EDC are instructed to fix quota and intimate the same to each and every HT consumer immediately. This has already been instructed vide memo. dt.4.11.09 & memo. dt.25.11.09 and it should be followed strictly. If any proposal for wheeling of energy has not been given by HT consumer on the 1st of every month, then it may be taken as zero and TNEB quota only may be fixed and intimate the same to consumer after specifying only 5% during peak hour for industrial services.
3. Any lapses on the above will be viewed seriously and SEs/EDC concerned shall be held responsible.
4. All CEs/D shall make a review and confirmation report on the above shall be send by 15th of every month to CE/Commercial.

(By order of the Chairman)

(N.SOMASUNDARAM)

CHIEF ENGINEER/ COMMERCIAL

To
All Chief Engineers/Distribution Region
All Superintending Engineers/ EDC

Email

**Tamil Nadu Electricity Board
(Revenue Division)**

U.O Lr. No. Fc/R/ D. No. / Dt.3/2/2010.

Sub: Electricity – R &C – HT Bill- Clarification- Reg.

Ref:Lr No. CE/IT/Dir/EE/CC/AEE/HT/F.HT/D /10 dt 28/1/10/ dt. 3/2/10

In Response to the above the followings are stated:-

2). In the software, 90 % of quota demand is calculated proportionately for the period before and after 18-01-10 but it has been stated by the circle offices that the 90% of highest of both the period has to be taken.

The business logic hitherto followed in the case of additional /Reduction of demand at the middle of the month may be applied for this case also.

3). In the software, the excess energy penalty calculation is done proportionately for the period before and after 18-01-10 but it has been stated by the circle offices that excess energy penalty has to be calculated only if overall quota has been exceeded.

The excess energy penalty may be levied if overall quota is exceeded

sd-3/2/10

Financial Controller/REv

TAMIL NADU ELECTRICITY BOARD
ACCOUNTS BRANCH

From
CA.S.Sekkizhar,FCA
Chief Financial Controller/Rev
144, Anna salai, TNEB
Chennai-2

To
The Superintending Engineer.
CEDC/CBE/Metro
Tamil Nadu Electricity Board
Coimbatore.

Lr.No. CFC/REV/ FC/R / D. /2009. dt. 10/2/10

Sir,

Sub: Electricity - Fixing of demand quota for HT Services, having wind, CPP; 3rd party adjustments- Clarification issued- Reg-

Ref:- SE/CEDC/M/CBE/DFC/AO/HT/A1/F.Quota/10/Dt.1/2/2010

This is with reference to the letter cited above and the following clarifications are issued:-

A) As per the memo dt 17/11/2008 of CE/Commercial, when consumer supplied energy equal to the base energy, there is no energy supplied by TNEB, hence TNEB energy quota is zero. But for fixing of demand quota, the calculated demand supplied for the above energy for the month by CPP power wheeling consumer will be deducted from the base demand consumption and the actual demand availed by consumer from TNEB will be 80% of the balance demand. The demand quota will not be zero as like energy quota, since there is no correlation between the base demand and base energy and they are not in equivalent proportion. Hence, it is instructed to follow the TNERC suo moto proceedings para 16 (13) and working instruction issued by CE/Coml, vide memo dt 25/11/09 in fixing of quota.

B) The TNERC in its Suo moto order dt. 28/10/2009 have mentioned in para 14, as "1.11.2009, peak hour current generation as well as peak hour banked energy shall be eligible for peak hour utilization every month subject to the limit of one twelfth of annual peak hour generation. Hence, While determining the average wind generation, the TNERC's order may be followed instead of taking the base period, ie, from 10/07 to 9/08.

C) In order to ensure proportionate allowing of quota to establish relationship between energy and demand, fixing of demand quota based on the actual energy supplied by TNEB may not be correct at the distant date as per TNERC's approval.

(By order of the Member(Distribution))

sd-11/2/10

Chief Financial Controller/Rev

(5)

**TAMIL NADU ELECTRICITY BOARD
ACCOUNTS BRANCH**

From
CA.S.Sekkizhar, B.Com, FCA,
Chief Financial Controller/Rev
144, Anna Salai,
Chennai - 600 002.

To
The Superintending Engineer,
Trichy Ele. Distribution Circle/M
Tamil Nadu Electricity Board

Lr.No. CFC/Rev/FC/R/ D.No. /10/ Dt 31/3/10.

Sir,

Sub : Electricity- R&C Measures-Levying of penalty- -Reg.

Ref:-1.Lr.No. SE/TEDC/M/TY/DFC/RCS/AS/A3/F.R&C/D.50-1/09 dt.20/11/09
2. Circular Memo.No. CFc/Rev/Fc/R/D.No.362 dt. 26/11/10

In the reference first cited it has been stated that during the course of special Review on HT services regarding restriction and control measures (Power Cut) by BOAB, Penalty has been imposed on the following method.

- a) Demand, and Energy has been arrived based on the CMRI down loaded data.
- b) Demand penalty has been imposed at Rs.900/- per KVA on the highest demand recorded during the evening Peak hour (6.00 pm to 10.00 pm) for the entire demand.
- c) Energy penalty has been imposed at Rs.8.40 per unit during the excess energy consumed during 6.00 pm to 9.00 pm at Rs.7.00 per unit during the excess energy consumed during 9.00 pm to 10.00 pm.
- d) For the HT Services, availed optimum demand the penalty has been imposed at Rs.900 KVA for the highest demand recorded in the non - working days of that billing month.
- e) The instructions issued in Lr.No.CFC/Rev/FC/R/D.No. / 2009, Dt. 01.09.2009 has not been taken into account for consideration at the time of Audit (Proportionate basis based on the CMRI data)
- f) The SE/Try/M, therefore requested for earlier clarification on this office letter dated 22.09.2009. Further to the above, it may also be clarified, whether the demand penalty has to be imposed on proportionate basis (Daily basis) based on the CMRI data, both for evening peak hour excess demand and demand recorded during Non working days for the optimum demand cases.
- g) However action is being taken to issue show cause notices to the consumers based on the Audit report.

2. In response to the above, the clarification is issued as below:-

- i) In the circular memo second cited it has been mentioned in para 10 & 11 as follows:-

“ 10. The peak hour excess charges for exceeding the Demand may be levied for proportionate days based on CMRI down loaded data or by 48 hrs notice and the excess charges may be levied at double the normal charges only ie @ Rs. 600/- per KVA.

11. The Superintending Engineers may be instructed to revise the monthly CC Bills of HT consumers from December '08 onwards and to calculate the excess charges, and refund the excess collection, if any by way of adjustments in the future month CC bills “

ii) Therefore the demand penalty may be imposed on proportionate basis based on the CMRI data, both for evening peak hour excess demand and demand recorded during Non working days for the optimum demand cases on the same line of instructions .

sd-31-3-10

Financial Controller/REv

for Chief Financial Controller/Rev

Email

TAMIL NADU ELECTRICITY BOARD
ACCOUNTS BRANCH

From
CA S. Sekkizhar, B.Com, FCA,
Chief Financial Controller/Rev
144, Anna Salai,
Chennai - 600 002.

To
The Superintending Engineer,
Dindugal Ele. Distribution Circle
Tamil Nadu Electricity Board

Lr.No. CFC/Rev/FC/R/D.No. /10/Dt 31/3/10.

Sir,

Sub : Electricity- R&C Measures-Billing Instruction-HTSC no.127, M/s. Super Spinning Mills-Reg.

Ref:-1.Lr.No. SE/DEDC/DGL/DFC/AO/Rev/D.No.1358/09 dt.8/1/10
2. Circular Memo.No. CFc/Rev/Fc/R/D.No.362 dt. 26/11/09

In the reference first cited it has been stated that as per the Memo no.CE/Com/EE/DSM/F.PC/D.28/2008 dt. 17.11.2008, the quota had been fixed in respect of the HT Consumer M/s. Super Spinning Mills. Further it has been stated that the above consumer has executed the Energy wheeling Agreement during 7.12.2009 only.

The SE/DEDC has further stated in the above letter that the bill for the month 11/09 was prepared as below:

Recorded energy	8,84,600 Units
Less CPP Units	2,53,323 Units
	<hr/>
	6,31,277 Units
Less TNEB Quota	4,64,880 Units
	<hr/>
Excess energy Consumed	1,66,397 Units

Therefore a penalty of Rs. 11,64,779/- was levied (166397*RS.7/-) and collected. But the consumer is requesting to adjust the Excess energy with the wind mill generation of 174199 units.

In the above circumstances it was requested to clarify the billing system.

In response to the above request, the clarification is issued as below:-

a) In the circular memo second cited was mentioned in para 5,6, 7 & 8 as follows:-

5. In the 3rd part, (from 1.11.09 to 31.3.10) the unutilized banked wind energy available as on 1.11.09 may be allowed to be utilized by the WE captive users in 5 equal installments from 1.11.09 to 31.3.10 in addition to the current wind generation of that month. The deemed demand has to be worked out as per TNERC's formula for the above energy every month (both Current month and 1/5th banking)

6. From 1-11-2009, all captive users, whether thermal or wind, shall declare on the first day of every month, the energy proposed for captive use for the following month, which shall be considered as B and F for the purpose of energy quota and

demand quota respectively in terms of the memo of TNEB dated 17-11-2008; the energy so declared shall roughly be the monthly average generation.

7. From 1-11-2009, peak hour current generation as well as peak hour banked energy shall be eligible for peak hour utilization every month subject to the limit of one-twelfth of annual peak hour generation.

8. The Circles must get the above details (sl no 6 & 7) from the HT consumers before 5th of every bill month and the same should be taken for calculation of excess demand/ excess energy during the billing. There should be no delay in getting the above details from the consumers and no subsequent alteration of the details. If no declaration is given by the consumer with in the period, the proposed energy for wheeling and demand may be taken as "NIL" and the bill has to be prepared accordingly."

- b) However the SE/DEDC has stated in the letter first cited that the HT Consumer has executed the energy wheeling Agreement only on 7.12.2009.
- c) Therefore the energy generated on and after 7/12/2009 can be adjusted for the subsequent period of billing and not for the 11/2009 billing.

sd-31-3-10
Financial Controller/Rev
for Chief Financial Controller/Rev

E. mail-

**Tamil Nadu Electricity Board
(Revenue Division)**

U.O Lr. No. CFC/Rev/FC/R/D. No. / Dt.23/4/2010.

Sub: HT Bill -Team Discussion – Reg.

**Ref : 1. U.O No.CE/IT/Dir/CC/EE/CC/AEE/F.HT/Power cut/D87/10
dt 18.4.10**

**2.Lr. No. CFC/GI/FC/Rev/AO/HT/ F. R& C/ D. /2008 dated
27-11-2008**

With reference to the U.O First cited , and based on the discussion held with the Team members ,the following clarifications are issued:-

1.For services having units injected in 20 hrs, then whether equivalent demand shall be calculated for 20 hrs or 24 Hrs.

The Deemed demand has to be worked out taking in to account of 20 Hours , if the Consumer injects energy for 20 Hours .

2. For proposed units more than actual units, whether equivalent demand shall be calculated for proposed or actual units injected or consumed units

The Equivalent demand has to be calculated based on the actual units injected or consumed units, whichever is less, in other words the units adjusted in the bill for that month.

3. Excess penalty is arrived on the two groups (20 Hrs/4 hrs) while adjustment is made in 3 slots , method of adjusting excess injected units available in one slot is to be specified.

Based on the 5 slot readings, the excess energy has to be accommodated in the 3 slot billing. Based on the 5 slots readings, the Excess energy (in 2 slots) has to be arrived and adjustment of energy in 3 slots have to be made.

4.For services having actual units more than proposed units, whether equivalent demand shall be calculated for proposed or actual units injected or consumed units

The Deemed demand has to be arrived only for the proposed units, if the actual units supplied is more than the proposed. Further, the proposed units should not exceed one- twelfth of annual generation (Financial Year).

5. In respect of Excess demand calculation in WEG -II/CPP services, whether billed demand or recorded demand to be taken;-

The Excess demand has to be arrived based on the billable demand.

sd-27/4/10
Financial controller/ REv

To
The Chief Engineer/IT
10th Floor/TNEB

MOST URGENT

**TAMIL NADU ELECTRICITY BOARD
ACCOUNTS BRANCH**

144, Anna Salai,
Chennai - 600 002.

Memo.No.CFC/ REv/FC/Rev/ D. No /2010, dated 7/5/10.

Sub: Electricity – R&C – Peak hour penalty – Cases filed in the Honble TNERC- Orders passed by the Commission- Instructions issued to Collect the Excess Charges- REg

Ref: 1. Lr.No. CFc/R/Fc/R/D.26/10 dt.25/2/10.
2. Honble Tamil Nadu Electricity Regulatory Commissions

Order

dt.4/5/10 on MP. No. 4of 2010 & 7 of 2010

-oOo-

The Copy of the Order in the reference second cited is enclosed here with. In the reference second cited the Honble TNERC has stated as below:-

a) para 11.9) – The amendment prescribes excess demand charges and excess energy charges for exceeding the demand quota and energy quota. Since, different quotas have been fixed for peak hour and non peak Hours , excess demand charges would be leviable in case of violation, whether the violation occurs during peak hour or non peak hour. The Electricity Supply code does not restrict the excess demand charges to non peak hour violation alone.

b) para 11.11) Therefore, it is clear that the order of the Commission in MP No.42 of 2008 prescribed excess demand and excess energy charges for evening peak Hour Violation also.

c) Para 11.14) Sec 56 makes it clear that a licensee is empowered to claim its demand up to a period of two years from the date when such sum became due.....Therefore , we have to conclude that the TNEB is entitled to recover any sum due to them within a period of two years.

d) Para12) The MP No. 4/2010 and MP no.7/10 are dismissed. While raising the bill for excess demand and excess energy charges , the TNEB is directed to furnish month wise figures of the Excess demand and excess energy recorded by the meter of the Consumer between 6 pm to 10 pm and indicate the excess demand and excess energy charges for that month.

e) para 13) The interim order dt 25.2.10 in MP No. 4/10 is merged with this order.

(52)

2. In this connection the following instructions are issued for adherence:-

2.1) Immediate action may be taken to collect the excess charges levied for the peak hour violation within 2 days after furnishing the details to the Consumers who have filed case in the Honble Commission (ie, the Tamil Nadu Electricity Consumers Association, Tamil Nadu Spinning Mills Association as ordered by the Commission in the para 11.11 of its order), if it is not furnished to the consumer earlier.

2.2) Further immediate arrangements may be made to get the dismissal orders for the cases pending in the Honble High Court of Madras and Madurai by submitting the above order of the Honble Commission, through Board's Standing Counsels.

2.3). Since, the Superintending Engineers /EDCs are already delegated with powers to permit 3 monthly installments to pay the penalty by the HT Consumers, 3 monthly installments may be permitted to them if they request for the same.

2.3) The BPSC may also be collected @ 1.5% per month w.e.f the expiry of the earlier Demand notice period.

2.4) An action taken report with the Collection details may be reported to CFC/Rev on or before 21/5/10

sd-7/5/10
Chairman

To

All the Superintending Engineers/Distribution Circles

Copy to

All the Chief Engineers/ Distribution Regions

The Chief Financial Controller/GI

The Chief Engineer/Commercial, CE/IT

The CIAO, AG Audit,

Copy to SE/-Chairman office, EE to MD,

// Forwarded by Order//

sd-7/5/10

Financial Controller/REv

E-Mail

**Tamil Nadu Electricity Board
(Revenue Division)**

U.O Lr. No. CFC/Rev/Fc/R/ D. No. / Dt.11/5/2010.

**Sub: Electricity – HT Billing – R&C Measures-Wind energy Group I and
Group II adjustments-Illustrations – Reg.**

Ref: U.O No. CFc/R/Fc/R/D.No./ Dt 19/3/10

In continuation to the U.O cited in the reference the Illustrations for adjustment of wind energy wheeling from Group I and Group II wind mills is enclosed here with for making necessary billing programme.

**sd-11/5/10
Financial controller/Rev**

**Eld- 2- illustrations
To
The Chief Engineer/IT,
10th Floor/TNEB
copy to the AEE/CC/HT**

HT wind Adjustment Consumers- Group I & Group- II Combination

		Mor. PH (6am to 9 am)	(9 am to 6 pm + 5 am to 6 am)	Night HR (10 pm to 5 am)	(Eve PH) 6 pm to 9 pm	(Eve PH) 9 pm to 10 pm	Total
a	Current month wheeling proposed -wind	90000	275000	237500	100000	10000	712500
b	Current month Actual energy wheeled wind						
	Group-II	20000	70000	80000	25000	5000	200000
b1	Units wheeled-Eve. Peak Hour & Other Hours		170000		30000		200000
	Group-I	10000	35000	40000	12000	3000	100000
b2	Units wheeled-Eve. Peak Hour & Other Hours		85000		15000		100000
c1	Wind energy- Injection Voltage	22/11 KV	Group I &				
C2	Wind Energy- Drawal Voltage	22/11 KV					
i)	The Base Demand		1000				
ii)	No.Of days in a month		31				
iii)	PF recorded during the Current month		0.95				
iv)	Wind energy- actually wheeled during the Current Month	(3000000/31 * 0.95*24)	424.45	KVA	8		
v)	Actual Demand supplied by TNEB to the consumers		575.55	KVA			
vi)	iv) 70% of the Actual Demand Supplied by TNEB		402.89	KVA			
vii)	ii) The deemed demand of the wind energy- Other hrs (WEnergy supplied in that month/no.of days in the month x 20 Hrs x PF)-Group-2	170000 Units/(31 days*20 Hrs*0.95)	288.62	KVA			
viii)	The deemed demand of the wind energy-Peak hrs (WEnergy supplied in that month/no.of days in the month x 4 Hrs x PF)-Group-2	30000 Units/(31 days*4 Hrs*0.95)	254.67	KVA			
ix)	ii) The deemed demand of the wind energy- Other hrs (WEnergy supplied in that month/no.of days in the month x 20 Hrs x PF)-Gr-1	85000 Units/(31 days*20 Hrs*0.95)	144.31	KVA			
x)	The deemed demand of the wind energy-Peak hrs (WEnergy supplied in that month/no.of days in the month x 4 Hrs x PF)-Gr-1	15000 Units/(31 days*4 Hrs*0.95)	127.33	KVA			
		Other Hrs	Peak Hrs				
1	Actual Recorded Demand	1200	600	KVA			
2	Less: Wind energy Deemed Demand- vii/ viii)-Gp-2	288.62	254.67	KVA			
3	Less: Wind energy Deemed Demand- vii/ viii)-Gp-1	144.31	127.33				
4	Balance (sl no 1- (2+ 3)	767.06	218.00	KVA			
5	Quota Demand- Base-70%, PH - 5% (vi)	402.89	20.14	KVA			
6	Excess Demand- (sl no.4- sl no.5)	364.18	197.85	KVA			
7	Excess Demand Charges to be levied (in Rs.) 2*Rs.300*sl no 6	218506	118711	****			
8	Demand Charges (Rs.300* Sl no 4)	230119	0				
9	TNEB share in the deemed demand= 80.73%* sl no. 2 - Group- II	69902.04					
10	Total Deemed Demand - TNEB share Group I -sl no.3*100%	43293.72					
11	Total Deemed Demand Charges (sl no9+ sl no. 10*300/)	113196	0				
12	Total Demand Charge (sl no 7+sl no.8+ sl no.11)	561821	118711	680532			

****The Excess demand charges for Exceeding the quota demand in Eve.PHrs may be levied on proportionate days basis, based on CMRI data/ 48 Hrs notice.

(*) (**) TNEB's Share is 100% in respect of generators/Users those who have not come for revised wheeling agreement
sd-11/5/10

HT wind Adjustment Consumers- Group I & Group- II Combination

		Mor. PH (6am to 9 am)	(9 am to 6 pm + 5 am to 6 am)	Night HR (10 pm to 5 am)	(Eve PH) 6 pm to 9 pm	(Eve PH) 9 pm to 10Pm
A	Current month wheeling proposed -wind	90000	275000	237500	100000	10000
B	Current month Actual energy wheeled wind *****					
B1	Group-II	20000	70000	80000	25000	5000
B2	Group-I	10000	35000	40000	12000	3000
C	Total Actual energy wheeled (B1+B2)	30000	105000	120000	37000	8000
D	Units wheeled-Eve. Peak Hour & Other Hours		255000		45000	
1	Monthly base energy consumption as illustrated in working instructions dt 1.11.08	1000000				
2	Energy proposed for capital use or actual energy wheeled which ever is less	300000				
3	The actual energy availed by the consumer from TNEB	700000				
4	70% of energy on sl no 3	490000				
5	Energy quota in Units	490000				
6	5% Quota for PH 6 pm to 10 PM (sl no 5)*5%	24500				
7	Balance quota (sl no .5- sl no. 6)	465500				
8	Calculation of Excess energy Consumed& Excess energy chages to be billed					

Tariff I

	Slot wise Quota	Other Hrs-20 hrs	Eve.Peak Hrs-4 hrs	Total Hrs
9	Industrial Consumption-	828000	142000	970000
10	Less wind power -Group-2	170000	30000	200000
11	Less wind power -Group-1	85000	15000	100000
12	Balance (sl no 9-(sl no 10+sl no.11))	573000	97000	670000
13	Less :Quota Energy- sl no 6, sl no.7	465500	24500	490000
14	Excess Energy consumed- sl no. 12- sl no.13	107500	72500	180000
15	Excess energy charges Rate	7	8.4	0
16	Excess Charges sl no.14* sl no. 15	752500	609000	
17	Total Excess Charges (peak + Other Hrs)		1361500	

Adjustment in 3 slots

	No Of Hours- slot wise	6	11	7	24
	Time Duration	Mor. PH (6am to 9 am)	(9 am to 6 pm + 5 am to 6 am)	Night HR (10 pm to 5 am)	Total
I	Industrial Consumption- 3 slot readings	235000	425000	310000	970000
II	Less Wind energy to be adjusted - Group- 2-(B1)	45000	75000	80000	200000
III	Balance energy (sl no.I- sl no.II)	190000	350000	230000	770000
IV	Less Wind energy to be adjusted - Group- 1-(B2)	22000	38000	40000	100000
V	Balance energy(sl no. III-sl no IV)	168000	312000	190000	670000
VI	Less Quota energy (sl no.10)	88200	238875	162925	490000
VII	Excess energy consumed (sl no.V-sl no.VI)	79800	73125	27075	180000
VIII	Tariff	4.2	3.500	3.325	11
IX	CC Charges to be billed - Rs. (sl no V.*sl no. VIII)	705600	1092000	631750	2429350
X	Excess Energy charges to be billed- Rs. sl no 19				1361500
XI	Total energy charges with excess charge for excess energy (Rs.) sl no. IX+sl no.X				3790850

e mail-/sh-6

***** after deducting 5% of energy towards Transmission and wheeling Charges which includes the line losses in kind as per the TNERC order no.3 ,dt. 15.5.2006 from the generation of power.

Group 2 units to be adjusted first as per the circular memo CE/NCES dt 11.12.07.

(75)

**Tamil Nadu Electricity Board
(Accounts Branch)**

144, Anna Salai
Chennai-2

Circular Memo. No. CFC/R/FC/R/ D. No. / Dt. 2/6/2010.

**Sub: Electricity – R&C –Payment of Peak Hour penalty -
Cases filed in the ATE/New Delhi by 4 Associations-
8 Installments permitted- Instructions issued- Reg.**

**Ref: 1. Memo No.CFC/R/FC/R/D.No.76 /10 dt. 5/5/10
2. CFC/Rev/FC/R/D.73-2/2010 dt. 20/5/10**

In the reference 2nd Cited the circles were instructed to allow the HT Consumers to pay their peak hour penalty up to 31.5.10, as requested by them.

2.In the mean time the following 4 Associations have filed petitions before the Honble ATE/New Delhi and requested for stay for the collection of peak hour penalty:-

- i) Tamil Nadu Spinning Mills Association
- ii) Madras Steel Re- Rollers Association
- iii) The South India Spinners Association
- iv) Tamil Nadu Electricity Consumers Association

3. The second Bench of the ATE ,New Delhi after hearing the arguments on both sides on 31.5.2010 (2.30 pm) ordered the TNEB to allow 8 monthly installments to the Consumers and the first installment is payable on or before 15.6.2010. Further the ATE has observed that this facility of installment and the due date extension is applicable only to the members of the above 4 Associations, TNEB will raise the bill according to Para 12 of the Order dt.4.5.10 of the Commission.

4. However it is instructed that all the HT Consumers (whether they have gone to the ATE or not) may be permitted 8 (Eight) monthly installments and the first installment is payable on or before 15.6.2010.

5. If the 1st installment is not paid on or before 15.6.10, the HT Service connection may be disconnected .

6 The HT Services who have already obtained interim orders before the Hon'ble High court of Madras in Chennai and in the Madurai High Court Bench against disconnection, the cases may be arranged to be disposed of with the help of Board's standing Counsel immediately without delay so as to collect the Board's legitimate revenue .

1. A compliance report may be sent to Fc/Rev on this issue immediately. The Copy of the order passed by the ATE dt.31.5.10 is enclosed herewith for reference .

(By order of the Chairman)

Encl:-Copy of the ATE Order dt.31.5.10

sd-2/6/10

Chief Financial Controller/Rev

To
All the Superintending Engineers/Distribution Circles

Copy To

-All Chief Engineers/ Distribution Regions
Chief Engineer/NCES, Chief Engineer/Commercial,
Chief Engineer/IT,CIAO,
Resident Audit Officer/AG Audit- Chennai-2,
Copy to PA to Chairman, Copy to SE to MD, CFC/GI, Dir/T.Cell

// forwarded by order//

sd-2/6/10

Financial Controller/Rev

Tamil Nadu Electricity Board
(Accounts Branch)

144, Anna Salai
Chennai-2

Circular Memo. No. CFC/R/FC/R/ D. No. / Dt. 9/6/2010.

Sub: Electricity - R&C -Payment of Peak Hour penalty -
Cases filed in the ATE/New Delhi by 4 Associations-
eight Installments permitted- BPSC - Instructions issued- Reg.

- Ref: 1. Memo.No.CFC/R/FC/R/D.No.76 /10 dt. 5/5/10
2. CFC/Rev/FC/R/D.73-2/2010 dt. 20/5/10
3. Circular Memo No.CFC/R/FC/R/D.No.84 /10 dt. 2/6/10

It is instructed in the reference 3rd cited that all the HT Consumers (whether they have gone to the ATE or not) may be permitted 8 (Eight) monthly installments and the first installment is payable on or before 15.6.2010. If the 1st installment is not paid on or before 15.6.10, the HT Service connection may be disconnected.

2. Now, some of the Associations have requested not to demand the BPSC on the Peak Hour penalty Charges as the order of the TNERC in MP No. 4 & 7 of 2010 dt 4.5.10 is challenged before the ATE/New Delhi.

3. Therefore it is instructed not to demand the BPSC for the peak hour penalty charges till the case is disposed of by the Honble ATE/New Delhi.

(By Order of the Chairman)

sd-9/6/10

Chief Financial Controller/Rev

To

All the Superintending Engineers/Distribution Circles

Copy To

All Chief Engineers/ Distribution Regions

Chief Engineer/NCES, Chief Engineer/Commercial, Chief Engineer/
IT, CIAO, Resident Audit Officer/AG Audit- Chennai-2,

Copy to PA to Chairman, Copy to SE to MD, CFC/GI, Dir/T.Cell

**TAMIL NADU ELECTRICITY BOARD
ACCOUNTS BRANCH**

From
CA.S.Sekkizhar, B.Com, FCA,
Chief Financial Controller/Rev
144, Anna Salai,
Chennai - 600 002.

To
All the Superintending Engineers,
Distribution Circles
Tamil Nadu Electricity Board

Lr.No. CFC/Rev/FC/R/ D.No. /10/ Dt 14/6/10.

Sir,

Sub : Electricity- R&C Measures-Levy of Excess charges for excess consumption of power over and above the quota- Permitting Installments payments- Obtaining Undertaking – Instructions-

**Ref:-1.Memo No. CFC/Rev/FC/Rev/D.No. 76 /2010 dt.5/5/10
2. Circular Memo.No. CFC/Rev/FC/R/ D.No.84/10/
Dt .2/6/10.**

In the reference 2nd cited instructions were issued as follows:-

A) All the HT Consumers. (whether they have gone to the ATE or not). may be permitted 8 (Eight) monthly installments and the first installment is payable on or before 15.6.2010.

B) If the 1st installment is not paid on or before 15.6.10, the HT Service connection may be disconnected .

C) The HT Services who have already obtained interim orders before the Hon'ble High court of Madras in Chennai and in the Madurai High Court Bench against disconnection, the cases may be arranged to be disposed of with the help of Board's standing Counsel immediately without delay, so as to collect the Board's legitimate revenue .

D) Now, the Head quarters is informed by the Tamil Nadu Spinning Mills Association that some of the Circles are insisting an undertaking in stamped paper for availing the 8 installments, which is not required as per the ATE Order and requested to advise the SEs concerned and also advice the SEs to provide reworking for windmill captive consumers as per Order dated 28.10.2009 .

Therefore the SEs are requested that :-

(9)

1) As the matter of collection of peak hour penalty is pending in the Honble ATE, the undertaking need not be insisted from the HT Consumers.

2) The reworking must also be done as per the TNERC's Suo motto order dt.28.10.2009

1) Further it is requested to send the collection details in the following format, immediately to the e mail id fcrev@tnebnnet.org :-

Bill Month	Amount of excess charges levied (Rs.in lakhs)	Amount Collected upto 31.5.10 (Rs.in Lakhs)	Amount collected on or after 1/6/10 till 15.6.10	Balance amt.to be collected with no.of cases (Rs.in lakhs) /no.of consumers	
12/08 to 5/10				Court Case- NOs./Amt.	Installment Nos./Amt.

4) The action taken to vacate the stay in the Honble High Court may also be informed, so as to apprise the Chairman .

sd-14/6/10

Chief Financial Controller/REv

Copy to all the Chief Engineers/Distribution/TNEB

Copy to QIAO, CE/Coml,EE to MD

TAMIL NADU ELECTRICITY BOARD
ACCOUNTS BRANCH

From
CA.S.Sekkizhar, B.Com, FCA,
Chief Financial Controller/Rev
144, Anna Salai,
Chennai - 600 002.

To
The Superintending Engineers,
Distribution Circles/CBE/Metro,
Namakkal EDC,
Tamil Nadu Electricity Board

Lr.No. CFC/Rev/FC/R/ D.No. /10/ Dt 25/6/10.

Sir,

Sub : Electricity- R&C Measures- Fixing of quota and billing based on
TNERC's Suo-Moto Proceedings- Clarification issued- - Reg.

Ref:-1.SE/CEDC/M/CBE/AO/HT/F.Wind Adjutment/10 dt 26.5.10
2. SE/NEDC/DFC/HT/AS/Asst/F.Wind Mill /200 dt.19.6.10

With reference to the above the clarification is issued as below:-

- I) In the Memo dt.17.11.2008, it has been mentioned that (Fixing of energy quota)(i) Monthly base energy consumption as illustrated in working instructions dt. 1.11.2008 ,**
- II) (ii) In that the actual energy supplied (monthly average) for the above 3 months average by the CPP.**
- III) In the above the actual energy supplied was meant only the actual energy adjusted.(If the supplied energy is more than the consumption, the Excess energy would have been lapsed)**
- IV) In the case of wind energy, the energy supplied during a month will be adjusted against the Industrial consumption and the excess supplied energy will be sent to the generation circle for banking.**
- V) The energy available in the banking will be drawn for adjustment at the time of off season of wind. At that time the equivalent Demand (Deemed Demand) will be calculated and added in the quota.**
- VI) Therefore the Deemed demand will also be allowed only based on the actual units adjusted and not based on the energy supplied/injected into the grid.**

sd-26-6-10

Chief Financial Controller/Rev

Copy to all the Superintending Engineers/Distribution Circles

Copy to all the Chief Engineers/Distribution Regions

Copy to the CE

E.mail

**TAMIL NADU ELECTRICITY BOARD
ACCOUNTS BRANCH**

From
CA.S.Sekkizhar,B.Com,FCA,
Chief Financial Controller/Rev
144, Anna Salai,
Chennai - 600 002.

To
The Superintending Engineer,
Distribution Circles/CBE/N,
Coimbatore,
Tamil Nadu Electricity Board

Lr.No. CFC/Rev/FC/R/ D.No. /10/ Dt 28/6/10.

Sir,

**Sub : Electricity- R&C Measures- Fixing of quota and billing based on
TNERC's Suo-Moto Proceedings- Clarification issued- - Reg.**

**Ref:-1.SE/CEDC/North/DFC/AO/REv/F.Suo Motu/D.No. 10/
dt 18.6.10**

2. Circular memo no.CFc/R/Fc/R/D.No. 10 dt 25/1/10

**This is with reference to the letter first cited and the clarification is issued as
below:-**

**In the illustration IVD-R enclosed with the Circular memo
no.CFc/R/Fc/R/D.No. 10 dt 25/1/10 ,it has been mentioned in the foot note as
(*)(*) TNEB's share is 100% in respect of generators/Users who have not come for
revised wheeling agreement as per TNERC's Order.**

**As such it is again clarified that both the Group I & II WEGs are eligible for
reworking on excess charges by fixing the wind Quota. However the Demand
Charges have to be collected @ 80.73% for the Deemed Demand KVA in respect of
Group II Consumers and @ 100% for the Deemed Demand KVA in respect of
Group I Wind Consumers.**

sd-28-6-10

Fc/REv.

for Chief Financial Controller/Rev

Copy to all the Superintending Engineers/Distribution Circles

TAMIL NADU ELECTRICITY BOARD

O/o the Chief Financial Controller/REV
Chennai-2.

U.O.No.CFc/Rev/FC/Rev/ D. /10 dt. 28/6/10

Sub : HT Billing Software – modifications carried out – Reg.

Ref : 1.U.O Lr. No. CFC/Rev/FC/R/D. No. / Dt.23/4/2010.

2.U.O Lr. No. CFC/Rev/FC/R/ D. No. / Dt.11/5/2010

3.U.O.No.CE/IT/Dir/CC/EE/CC/AEE/F.HT Powercut/D 150/10
dt 25.6.10

With reference to the U.O third cited the following clarifications are furnished:-

1. Energy is adjusted in 3 slots for billing. But for penalty calculation, energy is adjusted in 2 slots. This results in variation in energy taken for calculation. Hence it is to be stated whether total energy billed (24 hours) after adjustment be compared with 24 hours TNEB energy quota and peak energy penalty be calculated for 4 hours separately and also if there is excess in both 24 hours and 4 hours then excess energy units in 4 hours be deducted from 24 hours excess energy units.

If there is any excess energy in the eve peak hour slot , this must be adjusted in the morning peak hour slot . Even after, if there is any excess units ,it must be adjusted in the normal hour slot.

- a. The total energy billed if exceeds the monthly quota i.e. without deducting 5%, the excess energy charges levied at Rs.7/- and excess evening peak hour charges levied if exceeds 5% TNEB quota.

Eg: Base Energy	12500
Quota 20% cut	10000
Evening peak hour permitted	500
Consumed over all for month	11000 units
Consumed evening peak hour	300 units

Excess for month = 1000 units

Excess for evening peak = Nil

- b. If exceeds both, the excess evening peak hour units deducted from the monthly exceed units.

Eg: Base Energy	12500
Quota 20% cut	10000
Evening peak hour permitted	500
Consumed over all for month	11000 units
Consumed evening peak hour	700 units

Excess for month $= (1000 - 200) = 800 * \text{Rs.7 units}$

Excess for evening peak $= 200 \text{ units @ Rs.8.40}$

2. Similarly whether demand penalty be calculated based on 24 hrs & 4 hrs.

Yes, the demand penalty must be calculated based on 24 hrs & 4 hrs.

3. Whether the excess over demand charges be computed after deducting the equivalent demand from the recorded demand.

Yes, the excess over demand charges be computed after deducting the equivalent demand from the recorded demand.

4. For calculation of power factor incentive/penalty for WEG Group II/ CPP , which demand is to be taken.

- Recorded Demand less equivalent demand or
- Recorded demand less equivalent demand +TNEB share of equivalent demand .

For the calculation of power factor incentive/penalty for WEG Group II/ CPP , the Recorded Demand less equivalent demand +TNEB share of equivalent demand has to be taken.

4. While adjusting the wheeled energy for Wind/CPP/Third party should the actual energy supplied be limited to proposed energy.

The actual energy supplied must be limited to the proposed energy.

sd-29-6-10
Financial Controller/REv

To
The Chief Engineer/Information Technology
/Chennai

TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LTD.,
(Technical Branch)

O/o. Chief Engineer/Commercial,
Chennai - 2.

Memo.No.CE/Comml./EE/R&C/AEE/F.R&C/D.No. 70-2/12, Dt.27.03.2012.

Sub: Instructions for issue of NOC to Open Access Consumers and
Monitoring the existing OA consumers - Clause 3 of
Undertaking - amendment - Reg.

Ref: Memo.No.CE/Comml./EE/R&C/AEE/F.R&C/D.No.70-1/12,
Dt.12.03.2012.

In the revised undertaking issued in respect of the Open Access
consumers vide reference cited, the clause (3) is amended as follows:

"I/We will restrict our power purchase under open access keeping in
view the regulatory measures/power cuts imposed by TANGEDCO on feeders
supplying power to our unit (Applicable only for customers connected to
mixed load feeder). I/We agree that in case the scheduled power as per
capacity in MW reserved for open access as per NOC/Standing
Clearance/Concurrence is curtailed or cancelled by SLDC as per Regulation of
TNERC (Open Access) Regulations, 2005. I/We shall immediately reduce/stop
the drawal of power through open access failing which SLDC/TANGEDCO may
take action as per Rules and Regulation in force.

(By order of CHAIRMAN CUM MANAGING DIRECTOR/TANGEDCO)

Sd/-
(G. ANGAMUTHU)
CHIEF ENGINEER/COMMERCIAL.

To
All the Chief Engineers/Distribution/Region.
Copy to all Superintending Engineers/ Electricity Distribution Circles.
Copy to the Superintending Engineer/ LD & GO
Copy to the Superintending Engineer/Enforcement
Copy to the Superintending Engineer/Power Purchase
Copy submitted to the Director/ Distribution
Copy submitted to the Director (Operation)/TANTRANSCO
Copy submitted to the Director/Generation
Copy submitted to the Director/Finance
Copy to all the Chief Engineers of Headquarters.
Copy to the Chief Financial Controller/ Revenue, Financial Controller/ Revenue.
Copy to the CIAO, Legal Cell.

17

ENCLOSURE OF MEMO NO. CE/COMML/EE/R&C/AEE/R&C/F R&C/D70-1/
dt-12-3-12.(8 pages)

UNDERTAKING FOR SHORT TERM PURCHASE/SALE OF POWER UNDER OPEN ACCESS

I/ We, name on behalf of M/s name of the firm, HT S/c No. _____
having its Registered office at address and Works at address undertake as under:-

1. I/We will get installed ABT compliant special energy meters of accuracy class 0.2S as main meter at our premises at our own cost in addition to TOD meter already installed as HT/EHT OA consumer of TANGEDCO & minimum, double core CT & PT's of accuracy class 0.2S/0.2 as per prescribed metering guidelines. I/ We will supply copies of test report of the meter from NABL Approved Lab & test report from MRT for CT/PT and site report by MRT /TANGEDCO and compliance report for completion of formalities as per guidelines from SEs concerned.
2. I/We will restrict our total demand to be within our sanctioned/contract demand during non-peak load hours and during peak load restriction hrs I/We will be eligible only to draw total power admissible as per peak hour quota granted by TANGEDCO and Open Access power only. This implies that I/We undertake to restrict our total drawl during peak hour period to the extend of peak hour quota granted by TANGEDCO and Open Access power only.
3. I/We will restrict our power purchase under open access keeping in view the regulatory measures/power cuts imposed by TANGEDCO on feeders supplying power to our unit. I/We agree that in case the scheduled power as per capacity in MW reserved for open access as per NOC/Standing Clearance/Concurrence is curtailed or cancelled by SLDC as per Regulation of TNERC (Open Access) Regulations, 2005, I/We shall immediately reduce/stop the drawl of power thro' open access failing which SLDC may suspend the NOC/Standing Clearance/Concurrence for 3 days for each day's default.
4. I/We agree that all equipment connected to the State Transmission/Distribution System shall be of such design and construction to enable the TANTRANSCO /TANGEDCO to meet the requirement of performance standards as specified in Grid Codes for the concerned inter-connection point(s). I/We shall ensure that our loads do not cause violation of these standards. Open access on the transmission system and wheeling on distribution system shall be subject to transmission and distribution system constraints. The provision of Open access shall remain suspended/curtailed during such period at the absolute discretion of SLDC/TANTRANSCO/TANGEDCO.
5. I/We shall not be liable for any claim for any loss or damage whatsoever arising out of failure due to force majeure events such as fire, rebellion, mutiny, civil commotion, riot, strike, lockout, forces of nature, accident, act of God and any other reason including grid's failure beyond the control of TANTRANSCO/ TANGEDCO.
6. I/We agree to rostering restrictions imposed by TANTRANSCO/ TANGEDCO on our feeders (Applicable only for customers connected to mixed load feeder).
7. I/We undertake that Short Term Open access to be granted or allowed to us is liable to be rejected or cancelled/withdrawn in the event of default but not limited to the following:-
 - i) Having being declared as insolvent or bankrupt.
 - ii) Having defaulted in clearing outstanding dues of SLDC, TANTRANSCO/ TANGEDCO for more than two months.
 - iii) Feeder status falling under ineligible category for grant of Open Access.
 - iv) Withdrawal of consent by Distribution Licensee (TANGEDCO)
8. I/We will supply copy of the agreement signed with the traders for Sale/ Purchase of power through open access. Any change of name/agreement with the trader, advance

- intimation shall be given by the customer which shall be allowed subject to the prescribed business rules only after the grant of permission of competent authority of SLDC.
9. I/We will book the Open Access corridor on intra state and interstate transmission system and seek alterations, if required, as per Open Access Regulations and procedure(s).
 10. I/We will abide by the provisions of the State Grid Code and Open Access Regulations issued by TNERC & CERC, as amended from time to time.
 11. I/We will also furnish Daily/Monthly abstract of all power injection/drawl made by us on prescribed Proforma. This information will be supplied for all the days for which Standing Clearance/No Objection Certificate will be sought by us (customer) and granted by TANTRANSCO/ TANGEDCO., including the days when no power injection/drawl made and in case of power exchange including the days when no bid is made by us (Generator/Seller) or the bid made is not accepted in the power exchange, indicating power scheduled through power exchange as zero for that day, duly authenticated by authorized signatory of the firm in the prescribed Performa.
 12. I/We will operate a 24-hour control room and communicate real time power purchase data through fax/telephone to control room of SLDC as well as TANGEDCO.
 13. I/We understand that no relaxation in Monthly minimum charges, demand charges or peak load exemption charges(if any) as HT/EHT consumer of TANGEDCO is admissible to us for purchase of power under Open Access.
 14. I/We will be liable to pay cross subsidy surcharge, Additional surcharge, voltage surcharge, reactive energy charges and any other charges applicable on Open Access customers in accordance to TNERC Open Access regulations, as amended from time to time.
 15. In case any difference in wheeling, transmission, operating or any other charges remitted by the power exchanges and actual applicable charges, SLDC/ TANTRANSCO/ TANGEDCO reserves the right to charge the difference in bill raised to the customer. I/We undertake to pay the total bill including these charges.
 16. I/We will make all payments associated with Short Term Open Access to the office of SEs concerned remitted only by Bank Draft or RTGS/NEFT in favour of Accounts Officer as directed by concerned SE. After due date I/we agree to pay LPS (Late payment surcharge) @ 1.5 % per month or part thereof on total amount of the bill. In case of non-payment of dues TANTRANSCO/ TANGEDCO. reserves the right to cancel NOC for Open Access.
 17. I/We will bear the transmission and distribution losses for the Intra-State/ Inter-State system, as notified by the State/Central Electricity Regulatory Commission (TNERC/CERC) from time to time.
 18. Any taxes/levies applicable on Open Access transaction as imposed by Central and State Governments from time to time shall be borne by me/us.
 19. I/We will fulfill our RPO (Renewable Purchase Obligation and its Compliance) as per TNERC Regulations.
 20. I/We will apply for Standing Clearance/ No Objection Certificate/Concurrence/Consent for purchase of power through Power Exchanges or through bilateral agreement minimum 15 working days before the commencement of deemed date of purchase of power through Power Exchange or through bilateral agreement. I/We have noted that Standing Clearance will be allowed by SLDC maximum upto one month.
 21. I/We agree to provide and meet with all metering, protection and communication requirements, as specified by the Commission / TANTRANSCO/ TANGEDCO from time to time.
 22. I/We may surrender the capacity allotted to me/us by serving a notice to TANTRANSCO/ TANGEDCO /RLDC as per TNERC/CERC regulations, if I/We are unable or not in position to utilize the full or substantial part of the capacity allotted to me/us. In case

our capacity has been reduced or cancelled or surrendered, I/We shall bear Open Access charges as per prevalent CERC/TNERC open access regulations.

23. I/We undertake to co-ordinate with concerned officials of TANTRANSCO/ TANGEDCO to ensure meter data reading/downloading as per fixed schedule

24. I/We undertake to maintain grid discipline and ensure the energy draws as per the energy scheduled at the delivery point.

25. I/We agree that the disputes and complaints regarding metering and billing etc. will be first referred to the Commercial and Metering Committee(SE/EDC, EE/MRT & DFC/EDC). The Committee shall investigate and endeavor to resolve the grievance and in case of its non-redressal within stipulated period or any dispute, it shall be referred to the Commission by the Committee or the Open Access customer.

26. I/We agree to the terms and conditions and TANTRANSCO/ TANGEDCO reserves their right to amend the above terms and conditions within the prescribed Regulatory framework.

Authorized Signatory

Name: _____

Place : Designation: _____

Date: Seal: _____

Note: _____

Terms and conditions

TN SLDC will be the nodal agency for permitting third party sale through Intra State Open access to HT consumers within Tamil Nadu. The Superintending Engineer EDC of the respective Distribution circle of the generators and HT consumers shall be the Area Coordinator to carry out and reconcile Energy accounting and implementation of R&C Measures:-

1. The generator will be permitted for third party sale through Short Term Intra State Open Access after honoring the existing commitments to TANGEDCO and its other consumers if there are any.

2. The generator shall submit the applications from their HT Consumers accompanied by a non-refundable application registration fee of Rs.1000/- (Rupees one thousand only) with the relevant details as per the prescribed format and shall register the same at SLDC for carrying out the third party sale.

3. The Generator shall pay the TNEB Short Term Open Access transmission charges at the rate of Rs. 28.97 per MWhr for utilizing the State transmission network (as determined by clause 6.1b of TNERC order 2 dt15.05.06) and scheduling and system operation charges at the rate of Rs.500/-per day per transaction (as per clause 6 of TNERC Intra State open access regulations 2005) for the transaction.

4. The Generator shall also pay applicable wheeling charges at the rate of 14.74 paise per unit for the transactions carried out below 33 KV ie at 22 KV and 11 KV voltage level.

5. Grid availability Charges at the rate of R & C penalty charges(if applicable) shall be paid for the non supply of committed power by the generator.

6. Reactive energy charges at the rate of 6 paise per RKVAHr if any for the power purchased from intrastate short term open access transactions will be applicable.

7. Short term agreement fee of Rs.10000/- shall be paid to TANGEDCO. Short term agreement shall be valid for one year as per TNERC intra state open access Regulation 2005 and hence the agreement has to be renewed on payment of Rs 10,000/ for every year. Also a revised agreement shall be executed as and when revised approval is given on payment of Rs. 10,000/-.

8. The cross subsidy charges as per clause 6.5 of TNERC order No.2 dt15.05.2006 for the purchased quantum of power by the HT consumers from the third party generators are temporarily waived until Restriction & Control measures are lifted.

9. The generator shall give necessary day ahead schedule of the generation and wheeling quantum to the third party HT consumers, SE/EDC concerned and to SLDC.

10. The generator should supply the committed power at their Ex bus periphery inclusive of the transmission loss. The Wheeled power scheduled at ex-periphery of the Generator shall be subjected to deduction of TANTRANSCO's/TANGEDCO's Transmission losses stipulated vide clause 6.3 of TNERC's order 2 dt15.05.06.

11. The generation over and above the committed power by the generator will not be accounted. In case of lesser generation shall be liable to pay the penal

- charges fixed by the TNERC as stipulated in the R&C measures and amended from time to time.
12. In case of generator outage or less generation at Ex-Bus, the generator should intimate their consumers and the Regional level Coordinator to regulate their drawl accordingly by giving due schedules of their generation.
 13. The valid generators eligible for third party sales on approval from TANGEDCO shall enter into an agreement with the Superintending Engineer/ Electricity Distribution Circle concerned.
 14. The generator shall pay payment security towards charges payable to the TANGEDCO, an advance payment equal to three months of the applicable charges.
 15. All the charges mentioned in the approval order shall be paid on monthly basis.
 16. In case of violation of any terms and conditions and / or non-payment of any of the charges payable, this permitted transactions will be terminated and action will be taken as per Electricity Act 2003.
 17. The permitted generator should furnish an undertaking to the effect that the company will strictly adhere to the terms and conditions specified and indemnify TANGEDCO/TANTRANSCO for any loss or damage suffered by it by allowing wheeling to third parties under Short term open access.
 18. If the HT consumer does not draw the committed power, both the generator & consumer will not be compensated by TANGEDCO.
 19. The HT consumer can use the purchased power only up to their sanctioned demand.
 20. In case the consumer draws power from grid, but the generator does not generate the power during that period or injects/supplies less than the committed power, the consumer shall pay the penal charges as fixed by TNERC for exceeding the quota for the excess drawal.
 21. The HT consumers shall submit an undertaking abiding the terms and conditions in a stamp paper to the Superintending Engineer/Electricity Distribution Circle concerned with a payment of short term agreement fees of Rs 10,000/- to TANGEDCO. Short term agreement shall be valid for one year as per TNERC intra state open access Regulation 2005 and herice the agreement has to be renewed on payment of Rs 10,000/ for every year.
 22. Energy accounting and reconciliations penal measures and any disputes arising in the above shall be sorted out and resolved as per prevailing norms.
 23. Any additional charges that may be approved by TNERC at a later date shall also be levied with retrospective effect or from the date as approved by Commission.

TERMS AND CONDITIONS FOR PURCHASE OF POWER THROUGH POWER EXCHANGE

1. All willing HT consumers can purchase power from Power exchanges, traders and generators up to their sanctioned demand through interstate and intrastate short term open access transactions as per the prevailing terms and conditions and procedures laid down by CERC interstate open access regulations and TNERC intrastate open access regulation and their subsequent amendment and followed at National Load Despatch Centre (NLDC) and respective Regional/State Load Despatch Centre (RLDC/SLDC).
2. The HT consumer who purchase power up to their sanctioned demand, the relevant cross subsidy charges as per clause 6.5 of TNERC order No.2 dt 15.05.2006 for the purchased quantum of power are temporarily waived until Restriction & Control measures are lifted.
3. The quantum of power to be purchased by the HT consumer through interstate short term collective transactions (ie., through power exchange) shall not exceed their Sanctioned demand at any time.
4. The HT consumer, who intends to carry out Interstate open access collective transaction through power exchange shall submit the application to SLDC with the complete details of their sanctioned load, restricted load, connectivity details, metering arrangement, maximum ceiling limit of their power requirement through open access from the Power Exchange (Indian Energy Exchange Ltd / Power Exchange India Ltd).
5. Based on the above details, SLDC standing clearance/concurrence which is a prerequisite for processing the application at Power Exchange (Indian Energy Exchange Ltd / Power Exchange India Ltd) shall be issued only to purchase power through power exchange and not for sale. After getting Standing Clearance/concurrence from SLDC/TANTRANSCO, the HT consumer shall approach IEX/PEXIL for further processing of the application.
6. The HT consumer shall only purchase power within the maximum ceiling concurred by SLDC/TANTRANSCO from the Power Exchange and do not carry out any sale of power through power Exchange. The Standing clearance/concurrence shall be reviewed on quarterly basis as per clause 2.4 of Procedure for Scheduling of short term open access collective transactions as per CERC Open Access Regulations 2008 as amended from time to time.
7. At any time the HT consumers are permitted to avail power from any one source as approved during the monthly transactions. One monthly transaction of the HT consumer stands valid for one billing cycle, ie from the meter downloading date upto the day prior to the next down loading date. With One standing clearance power purchase from only one exchange is valid for the entire month. In between change over to the other power exchange utilizing the above standing clearance is not permitted.
8. The HT consumer shall remit Rs.1000/- for initial registration of open access collective transaction and Rs.5000/- for SLDC concurrence charges in favour of "TANTRANSCO Collection Account" payable at Chennai to process application at Power Exchange (IEX/PEXIL)
9. Payment of Transmission Charges at the rate of Rs.28.97 per MWhr and Scheduling Charges at the rate of Rs.2000/- per day shall be made to Power

- Exchange (IEX/PEXIL) which in turn will be disbursed to TANTRANSCO as per clause 7.3 of Procedure for Scheduling of short term open access collective transactions as per GERC Open Access Regulations 2008 as amended from time to time.
10. Wheeling charges at the rate of 14.74 Ps per unit (for the energy allocated to the end user plus loss component) (if applicable)
 11. Grid availability Charges at the rate of R & C penalty charges shall be paid for the non supply of power from the exchanges.
 12. Reactive energy charges at the rate of 6 paise per RKVAHr if any for the power purchased from interstate bilateral /collective transactions is applicable.
 13. Short term agreement fee of Rs.10000/- shall be paid to TANGEDCO. Short term agreement shall be valid for one year as per TNERC intrastate open access Regulation 2005 and hence the agreement has to be renewed on payment of Rs 10,000/ every year. Also a revised agreement shall be executed as and when revised approval is sought on payment of Rs10,000/-.
 14. Excess charges as per R&C norms shall be applicable to Open access customer, for excess drawal over & above the quantum purchased for the particular day or the time block or during the non supply of power from the Power Exchange(IEX/PEXIL) and shall be covered by all the guide lines applicable for over drawl in force stipulated by TANGEDCO in its R & C measures.
 15. Any additional charges that may be approved by TNERC at a later date and waived charges any by TANTRANSCO/TANGEDCO shall also be leviable; with retrospective effect or from the date as approved by TNERC or TANTRANSCO/TANGEDCO respectively.
 16. As the power is wheeled from outside Tamil Nadu, the demand of the HT consumer, is entirely met by TANGEDCO. Hence there shall be no deemed demand benefit to the HT consumer and such consumer has to pay the entire demand charges to TANGEDCO.
 17. The power received at ex-periphery of TN towards scheduling to the HT consumer, shall be subjected to deduction of TN Transmission system losses in kind applicable to TANTRANSCO network as per clause 6.3 of TNERC order 2 dt 15.05.06 depending upon the voltage level in which they are connected.
 18. Billing & energy accounting at consumer end will be done on monthly basis without prejudice to additional levy charges for any violation in terms of over drawl above the purchased quantum in a day or in a time block(15minutes block)
 19. The Scheduled energy from Power Exchange (IEX/PEXIL) shall be intimated to SE/Distribution Circle /concerned on day ahead basis up on receipt of obligation report from the respective power exchanges by the consumer and same will be confirmed through SLDC.
 20. The HT consumer, shall approach SLDC and SE/EDC Concerned regarding any clarification in accounting the purchased energy and Demand through the Power Exchanges.
 21. The TANGEDCO shall give the equivalent demand only for the energy proposed to be purchased under short term open access transactions within the sanctioned demand.
 22. If the Open access procurement does not materialize to the extent projected by the HT consumer or as per obligation report from the exchanges, the HT consumer will limit their drawl to the extent of actual availability of Open access

procurement, if any over drawl noted then the consumer shall pay the penal charges as fixed by TNERC for exceeding the quota for the excess drawal under R & C measures.

23. If the scheduled power is injected into the grid and if the HT consumer is not able to draw the same due to some reasons, such open access customer will not be compensated for any loss.

24. Load shedding in view of grid security is inevitable and hence lesser (non) drawal due to load shedding or feeder tripping on protection shall not be compensated.

25. As per clause 4.3 & 4.4 of Procedure for Scheduling of short term open access collective transactions as per CERC open access Regulation 2008 as amended from time to time and the schedule issued by the SLDC shall be the final.

26. As per clause 2.9 of procedure for collective transaction issued by CTU, Power Grid Corporation of India Ltd, the HT consumer shall approach Power Exchanges for settlement of energy charges, Price and settlement arising due to congestion.

27. HT consumer shall execute an agreement with the SE/Distribution Circle/concerned after ascertaining the feasibility of carrying out the transaction and shall furnish an undertaking to the effect that the company will strictly adhere to the terms & conditions and indemnify TANTRANSCO/TANGEDCO from any losses by allowing the purchase of inter state power through Power Exchanges under inter state open access collective transaction.

Note:

i) Two sets of undertaking are to be prepared on non-judicial stamp paper of Rs.100/- duly Attested by Notary Public.

ii) The undertaking is to be signed by the applicant/consumer on each and every page. Two set of the undertaking are to be furnished to this office.

iii) Copy of company/Board resolution or authority letter in favor of authorized signatory to be attached.

(12)

1

TAMIL NADU ELECTRICITY REGULATORY COMMISSION
Constituted under Section 82 (1) of the Electricity Act, 2003
(Central Act 36 of 2003)

PRESENT:-

Thiru.S.Kabilan

and

... Chairman

Thiru.K.Venugopal

.... Member

M.P. Nos. 6 of 2010, 9 of 2010 and 17 of 2010 and D.R.P. No.9 of 2010

I.A. Nos. 1 and 2 of 2010 in M.P. No. 9 of 2010

M/s. Southern India Mills Association
Rep. by its Secretary General
41, Race Course Road
Coimbatore - 18.

.... Petitioner

(Thiru.N.L. Rajah, Advocate for Petitioner)

Vs.

The Tamil Nadu Electricity Board
Rep. by its Chairman
Anna Salai
Chennai

..... Respondent

(Thiru.Mohammed Rafi, Advocate for Respondent)

M.P. No. 6 of 2010

M/s. Biomass Power Producers Association
Rep. by its Authorised Representative
III Floor, Mockambika Complex
No. 4, Lady Desika Road
Mylapore
Chennai - 600 004.

.... Petitioner

(Thiru.Rahul Rajaji, Advocate for Petitioner)

Vs.

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

2. The Member (Generation)
Tamil Nadu Electricity Board
Chennai.

..... Respondents

(Thiru.Mohammed Rafi, Advocate for Respondents)

M.P. No. 17 of 2010

M/s. Lucas TVS Ltd.,
No. 11, Patulas Road
Chennai - 600 002.

..... Petitioner

(Thiru.Rahul Balaji, Advocate for Petitioner)

Vs.

The Tamil Nadu Electricity Board
Rep. by its Chairman
144, Anna Salai, Chennai

..... Respondent

(Thiru.Mohammed Rafi, Advocate for Respondent)

D.R.P. No. 9 of 2010

M/s. OPG Power Generation Pvt. Ltd.,
No. 117, P.S. Singarasamy Salai
Mylapore
Chennai - 600 004.

..... Petitioner

(Thiru.Rahul Balaji, Advocate for Petitioner)

Vs.

The Tamil Nadu Electricity Board
Rep. by its Chairman
800, Anna Salai
Chennai - 600 002

..... Respondent

(Thiru.Mohammed Rafi, Advocate for Respondent)

Date of hearing : 17-08-2010
Date of Interim Order : 17-08-2010

The Commission after considering the above petitions and the contentions of both sides and oral arguments of both sides issues the following:-

INTERIM ORDER

The base demand as worked out by the TNEB on the basis of their Circular dated 17-11-2008 shall remain. Procurement through Open access which is protected by the Electricity Act 2003 may be treated as an additionality but limited to the sanctioned demand of the consumer. This has been admitted by the TNEB in their communication dated 17-07-2009 "Procedure for allowing Third Party Sale / Purchase under Intra State Short Term Open Access"

The consumer should declare in advance one month prior to the billing period for availing of Open access procurement. For example for a billing period commencing from 27th September 2010, the declaration should be made before 27th August 2010.

If the Open access procurement does not materialize to the extent projected by the consumer, he will limit his drawal to the extent of actual availability of Open access procurement.

Delivered on 17-08-2010

(Sd.....)
(K. Venugopal)
Member - I

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

/ True Copy /

Assistant Secretary
Tamil Nadu Electricity
Regulatory Commission

(12)

TAMIL NADU ELECTRICITY BOARD
(Technical Branch)

144, Anna Salai,
Chennai-600 002.

Memo.No.CE/Comml/EE/DSM/AEE1/F.Power cut/D. 358/10. Dt.17.09.10

Sub: Electricity - Restriction & Control - Fixing of TNEB quota and permitting of open access over and above the TNEB quota fixed - Instructions issued - Regarding.

- Ref: 1.Memo.No.CE/Comml/EE/DSM/AEE/PMM/F.Power cut/ D.001/08, dt. 1.11.2008.
2.Memo.No.CE/Comml/EE/DSM/AEE/PMM/F.Power cut/D.28/08, dt. 17.11.2008.
3.TNERC Interim order dt. 17.8.2010 in M.P. Nos. 6 of 2010, 9 of 2010 and 17 of 2010 and D.R.P No.9 of 2010
4.Memo.No.CE/Comml/EE/DSM/AEE1/F.R&C /D.332/10, dt. 28.8.2010
5. TNERC order dt.7.9.2010 in M.P. Nos. 6 of 2010, 9 of 2010 and 17 of 2010 and D.R.P No.9 of 2010

The Honourable Tamil Nadu Electricity Regulatory Commission in the reference 5th cited have issued orders for permitting open access power as additionality but limited to the sanctioned demand of the consumer.

2) Based on the above, the following working instructions are issued for fixing TNEB demand and energy quota.

1. The TNEB base demand /base energy as worked out on the basis of circular dt.17.11.2008 shall remain.

Procedure for working out TNEB base demand & base energy and fixing of quota :

TNEB Base energy consumption calculation:-

- (i) Base energy consumption as illustrated in working instructions dated 1.11.2008.
- (ii) Actual monthly average energy portion from captive sources (thermal, wind, biomass etc)/ third party sources during the three consecutive months taken for calculation of base energy

}
YA

}
B
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CPP - 2

W - 9

DP - 2

(iii) The actual energy availed by the consumer from TNEB, $C : A - B$

(iv) The TNEB energy quota for the consumer, $D : (C \times S/100)$
 $= D$

where 'S' is the percentage to be allowed as applicable.

(v) TNEB Evening Peak hour energy quota $= 10\%$ of D .

TNEB Base demand calculation:-

(i) The base demand as illustrated in working instruction dated 1.11.2008 } : E

(ii) Calculated demand for the captive sources (thermal, wind, biomass etc)/third party sources for the month taken for calculation of base demand } : F

((F = Energy supplied by Captive/third party sources in a month / (No. of days in the month \times 24 Hrs. \times PF))

(iii) Actual demand supplied by TNEB to the consumer, $G : E - F$

(iv) TNEB demand quota for the consumer, $H : (G \times S/100)$

Where 'S' is the percentage to be allowed as applicable.

(v) TNEB Evening Peak hour demand quota $: 10\%$ of H

3) The Quota is to be fixed and intimated to the consumer for the TNEB supplied power (D & H) and the evening peak hour energy and demand quota only.

4) Procurement through Open access will be treated as an additionality. The ceiling, up to which a consumer can utilize power including the TNEB quota demand, captive power and third party purchase would be the sanctioned demand.

5) There would be no need for advance declaration by the consumer for the wheeling of captive power as stipulated in SMP No.1 of 2009 or procurement of third party power as stipulated in the Interim order dated 17.8.2010, communicated in Memo. No. CE/ Comm/ EE/DSM/ AEE1/ F.R&C/ D.332/10, dt.28.8.10.

6) The equivalent demand brought in by the consumer from captive and third party sources should be subtracted from the maximum demand recorded by the meter of the consumer. Balance would be the demand actually supplied by the TNEB. If this figure exceeds the quota demand of the TNEB, the consumer would be liable to pay excess demand charges at the rates stipulated in the order of the Commission in M.P.No.42 of 2008.

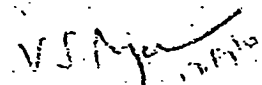
7) Similarly, the energy brought in from captive and third party sources would be subtracted from the total energy consumed by the consumer. The balance would be deemed to be the energy actually supplied by the TNEB. If this quantum exceeds the energy quota of the TNEB, the consumer would be liable to pay excess energy charges at the rates stipulated in the order of the Commission in M.P.No.42 of 2008.

8) The need for advance declaration of the consumer for procurement of power through open access is dispensed with.

9) The consumer shall not exceed demand/energy quota fixed for the TNEB power for any reasons, either due to outage of generator of their supplier or short supply from their supplier, etc., it is their responsibility to monitor this with their generator.

10) This order shall come into force from 17.8.2010.

11) For the above procedure, the detailed billing & working procedure will be evolved and communicated by the CFC/Revenue.


(V.S. RAJARAMAN)
CHIEF ENGINEER/COMMERCIAL
for CHAIRMAN

To
All Chief Engineers/Distribution Region
All Superintending Engineers/ EDC

TAMILNADU ELECTRICITY BOARD
Technical Branch

144, Anna Salai,
Chennai -2

Memo.No. CE/Comm/EE/DSM/AEE1/F. R&C /D 332 /10 dt.28.8.10

**Sub: Electricity – R&C measures- Purchase of power by HT
Consumers to their HT Service under open access transactions-
Instructions issued -Reg.**

Ref: TNERC Interim order dt. 17.8.2010

A copy of the TNERC order referred is enclosed. The base demand as worked out by the TNEB on the basis of Circular dated 17.11.2008 shall remain.


2.0 The HT consumer can use the purchased power over and above the original quota fixed for him under Restriction & Control measures upto the sanctioned demand. The TNEB shall add the quantum of energy purchased by the consumers over and the above the quota fixed by giving equivalent demand only for the energy proposed to be purchased under short term open access transactions within the sanctioned demand.

3.0 The consumer should declare in advance one month prior to the billing period for availing of Open access procurement. For example for a billing period commencing from 27th September 2010, the declaration should be made before 27th August 2010.

4.0 If the Open access procurement does not materialize to the extent projected by the consumer, he will limit his drawl to the extent of actual availability of Open access procurement. Excess consumptions will be arrived accordingly and excess charges will be levied as per the TNERC order.

5.0 All SEs/EDC are requested to adhere the above instructions strictly with immediate effect

(By order of the Chairman)


(V.S. RAJARAMAN)
Chief Engineer/Commercial

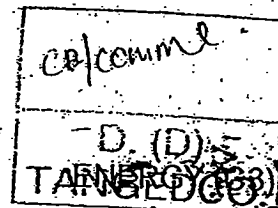
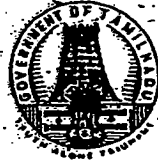
Encl : As above

To

All the Chief Engineers/Distribution Region,

All the Superintending Engineers /EDC

The Chief Financial Controller / Revenue -for issuing necessary billing procedure



DEPARTMENT
SECRETARIAT,
CHENNAI-09

EE/DSM	EE	EE	AFO
AEE/EE	AEE	AEE	AEE

Letter (Ms.) No.18 dated 29.02.2012

From
Thiru. RAMESH KUMAR KHANNA, I.A.S.,
Principal Secretary to Government.

To
The Chairman-cum-Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
Chennai-2.

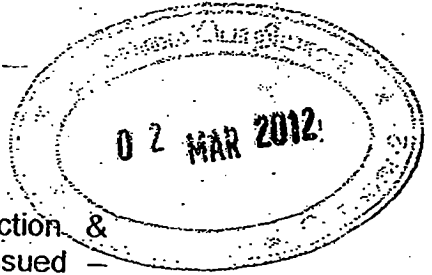
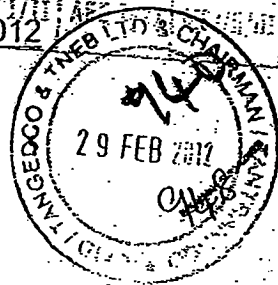
Sir,

Sub: Electricity - Implementation of Restriction & Control measures - Press Release issued - Action of the Chairman-cum-Managing Director, Tamil Nadu Generation and Distribution Corporation Limited - Ratified.

Ref: 1) From the Chairman cum Managing Director, Tamil Nadu Generation and Distribution Corporation Limited Lr. No.CE/COMML/EE/DSM/AEE/ DSM/F.R&C/D /2012, dated. 20.02.2012
2) Press release of the Chairman-cum-Managing Director, Tamil Nadu Generation and Distribution Corporation Limited dated 25.2.2012.

I am directed to state that the Government ratify the action of the Chairman-cum-Managing Director, Tamil Nadu Generation and Distribution Corporation Limited in having implemented the following Restriction & Control measures in the State with effect from 27.02.2012:

- Restriction on base demand and energy shall be increased from 20% to 40% for all HT industrial and commercial consumers.
- Increasing the load shedding from 1 hr. to 2 hrs. in one or more spells in rotation for Chennai and its suburban areas during day time between 08.00 a.m. to 6.00 p.m.
- Increasing the load shedding from 2 hrs. to 4 hrs. in one or more spells in rotation for urban and rural areas other than Chennai and its sub urban areas during day time between 06.00 a.m. to 06.00 p.m.



filed
29/2

30/CE, Comm.

- iv) HT commercial consumers not to draw more than 10% of the quota demand and energy from the grid during evening peak hours from 06.00 p.m. to 10.00 p.m.
- v) Introduction of power holiday to all HT, LTCT and LT industries for one day between Monday and Saturday on a staggered basis. In addition to the above, all HT industries shall have to declare Sunday as weekly holiday.

2. All other Restriction & Control measures which are in vogue will remain unaltered.

Yours faithfully,

A. Ananthi R.

for Principal Secretary to Government.

Copy to:

The Chairman,
Tamil Nadu Electricity Regulatory Commission,
Chennai-8.
The Secretary,
Tamil Nadu Electricity Regulatory Commission,
Chennai-8.
Hon'ble Chief Minister's Office, Chennai-9.
Sr.P.A to Hon'ble Minister (Electricity, P&E), Chennai-9.
All Officers/ Sections,
Energy department,
Chennai-9.
SF/SC

TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LTD.,

O/o. Chief Engineer/Commercial
Chennai-2.

Memo. No.CE/Comml/EE/DSM/F. Power Cut/D. 39/2012 dated 25.2.2012

Sub: Elec. - Additional Restriction and Control measures on HT Industrial and Commercial services - Instructions - Issued - regarding.

- Ref: 1. Govt.Lr.(Ms) No.121,Energy (C3) Dept., dt.22.10.2008.
2. Memo.No.CE/Comml/EE/DSM/AEE/F.Powercut/D.001/08,dt.1.11.08.
3. Memo..No.CE/Comml/EE/DSM/AEE/F.Powercut/D.245/09,dt.30.4.09.
4. Memo..No.CE/Comml/EE/DSM/AEE/F.Powercut/D.290/09,dt.29.5.09.
5. Memo.No.CE/Comml/EE/DSM/AEE/F.Powercut/D.272/09,dt.15.6.09.
6. Memo..No.CE/Comml/EE/DSM/AEE/F.Powercut/D.398/09,dt.03.9.09.
7. Memo..No.CE/Comml/EE/DSM/AEE/F.Powercut/D.124/10,dt.27.3.10.
8. Memo..No.CE/Comml/EE/DSM/AEE/F.Powercut/D.224/10,dt.27.5.10.
9. Memo..No.CE/Comml/EE/DSM/AEE/F.Powercut/D.126/10,dt.3.4.11.
10. Memo.No.CE/Comml/EE/DSM/AEE/F.Power cut/D.183/11, dt.10.5.11
11. Memo..No.CE/Comml/EE/DSM/AEE/F.Powercut/D.243/11,dt.20.6.11

To meet out the demand and supply gap, the following R&C measures are to be implemented with effect:

(A) From 27.02.2012:

- (i) The existing power cut of 20% on base demand and energy for all HT Industrial and Commercial services covered under Tariff I & III is increased to 40%.
- (ii) 90% cut on quota demand and energy for HT industrial & commercial services during peak hours i.e. 18.00 hrs to 22.00 hrs.
- (iii) Increase in load shedding period in Chennai and its sub-urban areas

(B) From 01.03.2012:

- (iv) 1 day Power Holiday for HT, LTCT & LT Industrial services from Monday to Saturday as per schedule. In addition to this, Power Holiday for all HT industries on Sunday.

I. The detailed working instruction for HT Services:

- a. The cut of 40% is on the base demand and base energy for HT industrial and commercial services shall be imposed instead of 20%. The calculation of revised quota may be done as per the working instruction issued in the reference (2) and subsequent amendment issued from time to time by taking the base period from October 2007 to October 2008.

b. All HT Industrial and Commercial consumers should not draw power from the grid more than 10% of the quota demand and energy during evening peak hours (18.00 hrs to 22.00 hrs).

c. For new services, 54% of the sanctioned demand shall be taken as quota demand instead of 72%. In respect of energy, for one shift industry 100 Units/KVA, for two shift industry 200 Units/KVA and for three shift industry 225 Units/KVA in the sanctioned demand may be permitted.

d. For additional demand effected, 40% of the additional load sanctioned as demand quota and 200 Units/KVA as energy quota for the additionally sanctioned demand may be permitted.

e. **In case of reduction of sanctioned demand permitted after October 2008, reduction on base demand and energy shall be carried out proportionately as per reduction of demand availed subject to the condition that the demand quota shall not exceed 60% of the sanctioned demand after reduction.**

f. All other working instructions issued for HT Industrial and Commercial service in reference (2) and subsequent instructions already issued for HT Industrial and Commercial services are to be followed for this 40% cut also.

g. Revised quota intimation letter may be issued to all HT Industrial and HT Commercial Services as per the proforma already communicated.

h. All CEs/D and SEs/EDC are instructed to implement the above immediately with due written intimation to consumers and after taking HT meter reading and MD reset to zero.

II. Additional Load Shedding:

The load shedding in Chennai and its sub-urban areas may be increased from the existing 1 hour to 2 hours in one or more spells during 8.00 hrs. to 18.00 hrs.

III. POWER HOLIDAYS:

a. One day Power Holiday should be declared by all HT, LTCT & LT Industrial services from Monday to Saturday as per the schedule from 6 a.m. to 6 a.m. next day. In addition to this, Sunday shall be declared as Power Holiday for all HT industries only from 6 a.m. to 6 a.m. next day. The schedule is given below.

Sl.No.	Days	Regions
1	Monday	Erode region
2	Tuesday	Chennai South region & Tirupathur EDC
3	Wednesday	Chennai North region & Madurai region
4	Thursday	Coimbatore region except Tiruppur & Nilgiris EDC
5	Friday	Tirunelveli region & Tirupur EDC & Nilgiris EDC
6	Saturday	Tiruchy, Villupuram & Vellore regions except Tirupathur EDC
7	Sunday	HT Industries of all regions

b. The following services will be exempted from the purview of power holiday.

- i) Printing Facilities for News Papers, Weekly, Fortnightly and Monthly magazines
- ii) All Telephone exchanges
- iii) Milk chilling and processing plants
- iv) Port Trust, Defence production units, Defence services and establishments
- v) Other services as may be exempted by the Chairman /TANGEDCO from time to time

c. During the power holidays, the industries shall limit the drawal of power from grid to less than or equal to 10% of the quota demand / sanctioned load / contracted load and energy for security and safety purpose as the case may be. The quota may be fixed as below:

(i) HT industries:

The existing procedure should be followed.

(ii) LTCT Industries:

The demand and energy quota for LTCT industrial services will be 10% of the average of any three consecutive months advantageous to the consumer between the billing period from January 2011 to January 2012.

(iii) LT industries:

The energy quota for LT industrial services will be fixed at 10% of their highest recorded bimonthly consumption (based on the bimonthly billing) during the period from January 2011 to January 2012.

IV. Guidelines for permitting continuous/non-continuous process industries under optimum demand concept is as follows:

1. The Chief Engineers/Distribution/Regions are empowered to permit to run the industry under optimum demand concept as per reference (2) and subsequent instructions. However consequent to the introduction of power holidays, the industries should avail 8 more holidays in a month as detailed below. The holiday should be distributed throughout the month to ensure uniform load relief throughout the month.

(a). Working instruction for Continuous Process and Non-Continuous Industries:

1.0. As per the clause I(n) of vide Memo. No.CE/Comml/EE/DSM/F. Power Cut/D. 001 /2008, dated 01.11.2008 communicated, optimum demand concept was introduced. Such industries have been requested to work for a restricted number of days in a month and not to run the industries for the balance days.

2.0. Subsequently vide Memo. No.CE/Comml/EE/DSM/AEE/PMM/F. Power Cut/D. 394 /2009, dated 31.08.2009, if the continuous process industries notified by Govt opted for continuous running with optimum demand, peak hour restriction need not be insisted subject to availing of minimum 5days holiday in a month.

3.0. Now the HT industries should declare 2 days power holiday per week (i.e.) 8 days per month. As the continuous process HT industries are exempted from peak hour restriction (i.e.) 18.00 hrs to 22.00 hrs (4 hrs), the continuous process industries should avail minimum 3.6 days holidays ((4 hrs X 22 days)= 88 hrs/24hrs = 3.6 days) in addition to 8 days power holiday per month. Illustration is enclosed in annexure.

V. INSPECTION AND MONITORING:

1. The Assistant/ Junior Engineer, Assistant Executive Engineer and Executive Engineer/Distribution shall inspect the HT/LTCT and LT services coming under the purview of power cut/power holiday more frequently at least once a week so as to ensure that the demand and energy quota fixed is not exceeded by the consumer. Close monitoring of the demand recorded in each service shall be done with the help of officers in other wings like GCC, operation, MRT, central office, GRT etc, so as to prevent the consumer from exceeding the quota fixed.
2. As per the guidelines issued vide reference (6), fixing of quota to the HT consumers shall be applied for both the normal and peak hours demand exceeding cases viz. The excess demand recorded over and above the quota upto 10% will be recorded and power supply continued by resetting the maximum demand indicator. This facility is permitted only for the two such occasions in a month. The violation of the demand quota which is either exceeding the demand quota by more than 10% or within 10% but repeated

- for the third time in the same month 48 hours notice will be issued and during that period 10% of demand and energy quota alone will be permitted for lighting purpose.
3. The officer who inspects the service should enter the check reading in the consumer card and should authenticate it. If at a later date, it is found that the inspection officer has failed to detect/record the exceeding of quota, action should be taken against the officer.
 4. Besides, Surprise Inspection Squads may also be formed in each Division and they shall undertake surprise inspection of HT/LTCT/LT industrial and commercial services of other Division so as to ensure that the industries are operating with their quota. The services of TEXCO squads may also be involved for effective enforcement.
 5. MD need not be reset if the quota is found not exceeded except at the time of taking monthly meter reading.
 6. A weekly report shall be sent by the SE/EDC to CE/Commercial indicating the details of cases where the quota is found exceeded and the action taken thereon.
 7. During power holiday period HT/LTCT /LT industrial and commercial consumers are to be instructed to switch off their centralized air-conditioners and should avail only lighting loads with minimum necessity for their security purposes. This should be checked by Surprise Inspection, with reference to the quota fixed.
 8. The consolidated statement of the base demand and energy quota fixed in respect of each Circle shall also be furnished immediately to CE/Commercial.
 9. In addition to the above, a monthly return on the consumption pattern of energy for each HT/LTCT/LT services coming under the purview of power cut shall be sent to CE/Commercial/containing the following details. This return may be sent every month from March 2012 onwards till the power cut is lifted.
 - a. Average monthly consumption during 2010-2011, March 2011 & March 2012 consumption
 - b. Average monthly consumption during peak hour for 2010 -2011, March 2011 & March 2012 consumption.

VI. Excess Levy Charges:

A. HT Industrial and Commercial Services

The existing procedure for the levy of excess demand and energy over and above the quota shall be charged at thrice the normal rate (i.e.) 1+ 2 as per Lr. No. CFC/GI/FC/DFC/R/AAO/Rev/D.No 178/Dt.04.12.2008.

B. During Power Holiday Period:

I. HT industries:

During Power Holiday period, the quota will be fixed as per Clause III (c). If at any time, the consumer is found to be exceeding the quota fixed, MD shall be reset immediately and necessary action to be taken besides levy of excess demand charges and excess energy charges as follows.

- i) For first time violation, levy of excess demand and energy charges at thrice the normal rate i.e. 1+2.
- ii) For the second time violation, levy of excess demand and energy charges at thrice the normal rate with disconnection of service for 48 Hours (or) levy of excess demand and energy charges at four times the normal rate i.e., 1+3.
- iii) For the third and subsequent times, addition of one time excess demand and energy charges in addition to the above clause (ii).

II. LTCT and LT industries:

In case of violation by LTCT Industrial and all LT Industrial services, during power holiday period the levy of excess demand and energy charges may be imposed as follows.

During inspection, if any violation is noticed, levy of excess demand and energy charges may be imposed on the energy consumed during the power holidays period by taking the average energy consumed per day from the date of imposing of power holiday to the date of inspection of violation. The average energy consumed per day will be arrived from previous billing month and no. of working days in a month will be taken as 25 days and 8 hours may be taken as working hours per day.

- i) For first time violation, levy of excess demand and energy charges at thrice the normal rate i.e. 1+2.
- ii) For the second time violation, levy of excess demand and energy charges at thrice the normal rate with disconnection of service for 48 Hours (or) levy of excess demand and energy charges at four times the normal rate i.e., 1+3.
- iii) For the third and subsequent times, addition of one time levy of excess demand and energy charges in addition to the above clause (ii).

III. TANGEDCO is approaching Tamil Nadu Electricity Regulatory Commission for disconnection/levy of excess demand and energy charges to be levied in case of exceeding the demand and energy quota and for proportionate reduction in demand charges due to imposition of these restrictions mentioned in para VI (B) (I) & (II). On getting directions from Tamil Nadu Electricity Regulatory commission, the above provisions will be enforced.

(By Order of the Chairman cum Managing Director)

(G. ANGAMUTHU)

CHIEF ENGINEER/COMMERCIAL

End: Annexure

To

All Chief Engineers/Distribution

Copy to all Superintending Engineers/EDC & Operation

Copy to SE/LD&GO, Chennai

Copy submitted to: The Chairman's Table.

The Inspector General

The Managing Director/TANTRANSCO

The Director (Operation)/TANTRANSCO

The Director (Distribution)/ TANGEDCO

The Member(Generation)/ TANGEDCO

The Director (Finance) /TANGEDCO

Copy to the Chief Engineer/ IT

Copy to all the Chief Engineers of Headquarters.

Copy to the Chief Financial Controller/ Revenue.

Copy to the Financial Controller/ Revenue.

Copy to the CIAO.

Copy to the Legal Cell.

TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LTD.

**O/o. Chief Engineer/Commercial,
Chennai-600 002.**

Memo. No.CE/Comml/EE/DSM/F. Power Cut/D. 48/12, dt.29.2.2012.

Sub: Elec. – Additional Restriction and Control measures on HT Industrial and Commercial services – Further instructions – Issued - reg.

Ref: Memo. No.CE/Comml/EE/DSM/F. Power Cut/D.39/2012 dt25.2.2012

1) In order to meet out the demand and supply gap of about 4000 MW, instructions were issued to carry out the R&C measures vide ref. (1) cited. The following guidelines and amendments are issued in continuation to the ref. cited above.

2) Procedure for fixing of energy quota for HT industrial services consequent to the introduction of Power Holiday.

The procedure for fixing energy and demand quota has already been issued. Consequent to introduction of 2 days power holidays per week, now it is proposed to reduce the energy quota as illustrated below by considering 22 days instead of 30 days (i.e) excluding 8 power holidays)

Illustration:

Base energy = 2, 50,000 units = A

Monthly Energy quota at 60% = $250000 \times 60/100 = 150000$ units = B
(No. of days taken as 30 days for a month)

Consequent to introduction of 2 days weekly power holidays (totally 8 days) the energy quota is refixed considering 22 days,as below :

Energy quota revised for 22 days due to

$$\begin{aligned}\text{Power holiday} &= 150000 \times 22/30 \\ &= 110000 \text{ units} = C\end{aligned}$$

Therefore monthly energy quota of 110000 units per month has to be fixed for the consumers covered under power holiday purview.

For Fixing of peak hour energy quota & power holiday energy quota :-

Monthly energy quota = 150000 units
10 % quota (BX10%) = 150000x10% = 15000 units + Tr.loss

**Monthly Energy Quota for peak hr and } = 15000 units + Tr. loss.
power holiday energy quota }**

(3) Power holiday:

A) (i) Continuous process Industries may be permitted to run continuously maximum of 18 days or eligible days which ever less including peak hour in single or more spells as per their choice subject to feasibility.

(ii) The Regional Chief Engineers should ensure that the working day are scheduled in such a way that the loads are evenly distributed throughout the month.

(iii) HT Industries fed by rural feeders without 4th wire may be exempted from power holidays.

(iv) Shut down for substation maintenance may be availed during power holiday period of respective areas.

B) During the power holidays, the industries shall limit the drawal of power as follows:

(i) HT Industries:

The demand and energy required during the power holiday period should also be met out within the already permitted 10% of demand and energy quota for safety and security purposes during the peak hours.

(ii) LTCT Industries:

The industries shall limit the drawal of power from the grid as follows.

a) The demand quota shall be the maximum demand registered in any month during the billing period from January 2011 to January 2012, advantageous to the consumer.

b) The energy quota shall be restricted to the average of any three consecutive months advantageous to the consumer between the billing period from January 2011 to January 2012.

c) The LT CT industries may be permitted to utilize only 10% of demand and energy quota for safety and security purposes during the power holiday period which is meant for lighting purpose only not for any other applications.

(iii) LT Industries:

The energy quota for LT industrial services will be fixed as the highest recorded bimonthly consumption (based on the bimonthly billing) during the period from January 2011 to January 2012. These industries may be permitted to utilize only 10% of the energy quota for safety and security purposes during the power holiday period which is meant for lighting purpose only not for any other applications.

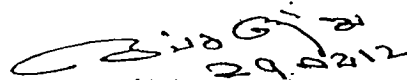
4) Banking adjustment for HT consumers using Wind mill energy is withdrawn upto 31.3.2012. Payment shall be made as per rules in force.

5) The HT consumers are permitted to purchase Third Party/Exchange power daily during day time, peak hours and night off peak hours except power holidays and load shedding period.

6) The HT consumers are permitted to wheel energy from Wind Mill/CPP during day time, peak hours and night off peak hours except power holidays and load shedding period.

All Chief Engineers/Distribution and Superintending Engineers/EDC are instructed to adhere to the above guidelines strictly.

Receipt of the memo shall be acknowledged.



(G.ANGAMUTHU)

CHIEF ENGINEER/COMMERCIAL.
FOR CHAIRMAN AND MANAGING DIRECTOR

To

All Chief Engineers/Distribution

Copy to all Superintending Engineers/EDC

Copy to all Superintending Engineer/Operation

Copy submitted to: The Chairman's Table

The Managing Director/TANTRANSCO

The Director(Distribution)/TANGEDCO

The Director (Generation)/TANGEDCO

The Director/Operation

The Director/Finance

The Chief Financial Controller/Revenue

The Chief Engineer/Information Technology, Ch-2.

Tamil Nadu Generation and Distribution Corporation Ltd
Technical Branch.

144, Anna Salai,
Chennai.600 002.

Memo.No.CE.Comme./EE/R&C/AEE/F. R&C /D.71/2012. dt.09.03.2012

Sub: Electricity – Restriction & Control measures – Power cut for HT industrial and commercial services and Power Holiday for HT/LTCT services and LT Industrial consumers – exemption from Power Holidays - Regarding.

On detailed examination of the representations made by M/s. IOCL, M/s. Southern Railways, M/s. Tanners Association , M/s. CPCL and the Director of Sericulture, Salem, it is hereby informed that the following services are exempted from R & C measures of Power Cut and Power Holiday.

- (i) Railway services like Workshops, Railway Stations and pumping installations
- (ii) IOCL LPG bottling plants, Oil Depots/Terminals and Aviation fuel stations
(as in Annexure enclosed) across the State
- (iii) M/s. CPCL (Nagapattinam and Manali Refineries)
- (iv) 14 Nos. Common Effluent Treatment Plants of the All India Skin and Hide Tanners and Merchants Association. as per list enclosed.
- (v) Cold Storage unit of Sericulture Department (HT SC No.173, TVS Nagar, Hosur).
- (vi) M/s. CPCL's Desalination Plant (HT SC No.1841)

:(By order of CMD/TANGEDCO)

Sdxxxxx/09.03.2012.

(G.ANGAMUTHU),
Chief Engineer/Commercial,
For Chairman cum Managing Director.

To

All the Chief Engineers/Distribution.

Copy to all Superintending Engineers/ Electricity Distribution Circles.

Copy to the Superintending Engineers/ LD & GO

Copy submitted to the Director/ Distribution

The Director (Operation)/TANTRANSCO

Copy to the Chief Engineer/ IT

Copy to all the Chief Engineers of Headquarters.

Copy to the Chief Financial Controller/ Revenue, Financial Controller/ Revenue.

Copy to the CIAO, Legal Cell.

TAMILNADU GENERATION AND DISTRIBUTION CORPORATION Ltd.,

Technical Branch

...

144, Anna Salai,
Chennai-2.

Memo.No.CE/Comml/EE/R&C/AEE/F. Relaxation/D.No. 248 /12,dt.01.06.2012.

Sub: Elec. – R&C measures – Relaxation of power holiday and reduction of Load shedding hours – Instructions issued – Regarding.

Ref: 1. Memo.No.CE/Comml/EE/DSM/AEE/F.Powercut/D.001/08,dt.1.11.2008.

2. Memo.No.CE/Comml/EE/DSM/AEE/F.Powercut/D.39/12,dt.25.02.2012.

3. Memo.No.CE/Comml/EE/DSM/AEE/F.Powercut/D.48/12,dt.29.02.2012.

The Hon'ble Chief Minister of Tamilnadu has announced relaxation of the following R&C measures, with effect from 02.06.2012.

- i) Power holidays to HT/LTCT/LT industries including Sunday have been withdrawn.
- ii) Reduction of load shedding from 2 hours to 1 hour between 08.00 hours to 18.00 hours, in Chennai and its suburbs.
- iii) Reduction of load shedding from 4 hours to 3 hours between 06.00 hours to 18.00 hours, to areas other than Chennai.

All Chief Engineers/Distribution and Superintending Engineers/EDC are instructed to implement the above with due written intimation to consumers.

TAMILNADU GENERATION AND DISTRIBUTION CORPORATION Ltd.,

Technical Branch

144, Anna Salai,
Chennai-2.

Memo.No.CE/Comml/EE/R&C/AEE/F. Relaxation/D.No. 248 /12,dt.01.06.2012.

Sub: Elec. – R&C measures – Relaxation of power holiday and reduction of Load shedding hours – Instructions issued – Regarding.

Ref:1.Memo.No.CE/Comml/EE/DSM/AEE/F.Powercut/D.001/08,dt.1.11.2008.

2.Memo.No.CE/Comml/EE/DSM/AEE/F.Powercut/D.39/12,dt.25.02.2012.

3.Memo.No.CE/Comml/EE/DSM/AEE/F.Powercut/D.48/12,dt.29.02.2012.

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- iii) Reduction of load shedding from 4 hours to 3 hours between 06.00 hours to 18.00 hours, to areas other than Chennai.

All Chief Engineers/Distribution and Superintending Engineers/EDC are instructed to implement the above with due written intimation to consumers.

All other working instructions issued for HT Industrial and Commercial service in reference (1) and subsequent instructions already issued are to be followed.

(By order of the Chairman cum Managing Director)

(G. ANGAMUTHU)
CHIEF ENGINEER/COMMERCIAL.

To

**TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LTD.
(Technical Branch)**

**O/o. Chief Engineer/Commercial,
Chennai.**

Memo.No:CE/Comml/EE/R&C/AEE1/F.Agr/D.291/12, dt.18.06.2012.

Sub: Eley - Extension of 3 phase supply to Agricultural for Delta
Area - Instruction - issued - Reg.

The Honourable Chief Minister of Tamil Nadu has announced to
extend 12 Hours Three Phase supply to Agricultural Pumpsets as per G.O.
Ms.(Ms) No.1192, dt.16.06.1989 to the following Cauvery Delta-Areas.

1. Old Thanjavur District now Thiruvavur, Nagapattinam and
Thanjavur District.
2. Kulithalai, Musiri and Lalgudi Taluks of Thiruchirappalli District.
3. Chidambaram and Kattumannar Koil Taluks of Cuddalore
District.
4. Alangudi area in Pudukkottai District.

Three phase supply may be extended in the following schedule:

GROUP - I of Delta Area.	GROUP - II of Delta Area.
02.00 to 09.00 hrs. (7 hrs)	00.00 - 04.00 hrs. (4 hrs).
13.00 - 18.00 hrs. (5 hrs)	09.00 - 17.00 hrs. (8 hrs).
TOTAL DURATION - 12 hrs.	TOTAL DURATION - 12 hrs.

The Grouping of feeder should be arrived in such a way to ensure
uniform Load relief to the grid throughout the day. If any variation in wind
energy generation or any emergency in generation happens, the Load -
shedding has to be restored in delta areas as per the instruction of Load
Despatch Centre.

It has also been instructed that Substation wise, feeder wise, three phase/two phase consumption & loading pattern details of above Delta area should be submitted on weekly basis (Every Monday) with a copy to SE/LD&GO.

(BY ORDER OF CMD)

Sd....18.06.2012.

(G. ANGAMUTHU)

CHIEF ENGINEER/COMMERCIAL

To

The Superintending Engineer's of Thiruvarur, Nagapattinam, Thanjavur,
Trichy/Metro, Cuddalore and Pudukkottai.

Copy to the Chief Engineer/Distribution/Trichy & Villupuram Region,

Copy to the Director/Operation,

Copy to the Superintending Engineer/LD&GO/

Copy to CMD Table.

Copy to Superintending Engineer/Chairman Office,

Copy to Director/Distribution Table.

TANGEDCO

O/o CE/Commercial
Chennai - 2,

Memo.No. CE/Coml/EE/R&C/AEE1//F.LS/D 463/12 dt. 17.10.12

**Sub: Elec - R&C - Increase in Load Shedding to Chennai-Instruction
issued - reg.**

As the gap between demand and supply has increased in the last few weeks, it is decided to increase the load shedding in Chennai city and sub urban areas from the existing 1 hour to 2 hours between 8am to 6pm with effect from 18.10.2012.

Hence the Chief Engineer Distribution North and South Chennai Region are requested to act accordingly and the schedule of Load Shedding to the public should be published immediately.

Sd./---
Director/Distribution

To,

The Chief Engineer Distribution Chennai North and South Regions

Copy to Director Operation

Copy to SE/LD & GO, Chennai

Through Email & Hard Copy

**TANGEDCO
(ACCOUNTS BRANCH)**

From
S.Arulsamy ,M.Com.,AICWA.,ACS.,
Chief Financial Controller,
144,Anna Salai,
Chennai.

To
All Superintending Engineers
of Distribution Circles.

Lr. No./CFC/FC/DFC/AS.3/D.NO .92/11 dt.13.12.2011

Sir,

**Sub:- Eley- New HT service Connection effected and
additional demand effected - Monthly minimum
charges collected for the notice period-Clarification
Issued- Reg.**

Ref:- 1). Circular .Memo.No.64/CFC/R/FC/DFC/R/AO/HT/2009
Dt.04.04.2009.

2). The Ombudsman Order dt.30.11.2011 in Appeal Petition
No.102 of 2010.

In continuation to the reference (1) cited wherein it had been clarified that " If the intending consumer availing supply during supply availability notice period and he shall pay the monthly minimum charges as per the Tamil Nadu Electricity Distribution Code clause 31(5).Permitting of installment for paying the monthly minimum charges does not arise.

The R&C measure will come into force only after effecting the service connection. Therefore the monthly minimum charges shall be levied during the supply availability notice period at 100% of the sanctioned demand, since the entire demand had been reserved for effecting of service connection and the supply availability notice was issued for the entire sanctioned demand."

2. Now, the Hon'ble Ombudsman has viewed and upheld the Chief Financial Controller/Rvenue's Circular memo dt.04.04.2009 in order dt.30.11.2011 in Appeal Petition No.102 of 2010 filed by the M/S.Aurobindo Pharma Ltd as follows.

1.0 Facts of the case:-

The appellant M/S. Aurabindo Pharma Ltd., is HT consumer whose service connection no. is of HTSC.NO.47. They have applied for an additional demand of 490 KVA over and above the existing demand of 500 KVA. The above additional load was sanctioned on 16.04.2009. The supply availability first 90 days notice intimating the Boards works completed on 25.04.2009 was issued on 16.05.2009 and the second notice of supply availability was issued on 04.08.2009 and the supply was availed on 24.10.2009. The monthly minimum charges for non availing of the additional load during supply availability notice period from 25.04.2009 to 24.10.2009 totaling to Rs.8,72,516/- was levied on the appellant based on audit remarks. The appellant's petition to collect the monthly minimum charges taking into account of the power cut on the demand for the supply availability period was dismissed by the CGRF and hence filed this appeal petition to Electricity Ombudsman.

2.0 The issue before the Electricity Ombudsman are :-

1. Whether the monthly minimum charges that is to be levied for the period from the date of issue of notice of supply availability till the date of availing supply will vary during the R&C period.

2. What is the monthly minimum charges that is to be levied on the intending in consumer who has availed the supply during the notice period of availability supply.

3. Findings of Ombudsman on the first issue:-

3.1. In course of argument, the appellant has stated that the charges levied are more than what ought to have been levied had they availed the supply (ie) they will be charged only 90% of the 50% of the additional load. As the R&C measures are in force, the consumers are permitted to avail only certain percentage of the sanctioned additional load depending upon the power cut announced. The appellant is citing the above and requested for fixing the monthly minimum charges accordingly.

3.2. The respondent (TANGEDCO) has argued that the R&C measures will come to force only after effecting the service connection (ie) in this case after effecting additional load. Therefore, the monthly minimum charges shall be levied during the supply availability notice at 100% of the sanctioned demand, since the entire sanctioned demand has been reserved for effecting of service connection and the supply availability notice was issued

for the entire sanctioned load only. The respondent (TANGEDCO) has cited the Circular Memo. no.CFC /R/ FC /R /DFC/ R/AO /HT/2009. Dt .04 .04. 2009.

3.3 Ombudsman referred clause 6 of Supply Code where in it has been specified that the monthly minimum charges are payable even when no electricity was consumed or supply disconnected by orders of court or when the price of electricity supplied is less than the minimum charges. Clause 31(5) of the TN Electricity Distribution code also speaks about monthly minimum charges without any reference to R&C measures whereas in respect of service effected cases in the tariff order, the billable demand charges has been specifically differentiated between the normal period and R&C period. Hence, the contention of the respondent that the monthly minimum charges during the supply availability period is one and the same whether R&C is enforced or not is agreeable and decided in favour of the respondent.

4. Findings of Ombudsman on the Second issue:-

4.1. The basic intention of collection of monthly minimum charges during the supply availability period is to ensure that the licensee who has made certain expenditure to build the infrastructure that is essentially required for the effecting service connection to the intending consumer shall not be made to suffer on account of the delay in availing the supply by the consumer.

4.2. The justification for charging the monthly minimum charges has been upheld by the Hon'ble Appellate Tribunal for Electricity, New Delhi in appeal No.130 of 2005 in South East Central Railways Chattisgarh Vs Chattisgarh Electricity Board. The observation of the Hon'ble Appellate Tribunal on the said subject matter is reproduced below :

"In our view, the rationale and relevance of Monthly Minimum Charges is well established in the electricity industry. It is to be recognized that when a consumer is connected to a system, the utility has to provide or keep in readiness certain capacity of the system to serve the consumer. Machine capacity, transmission system, certain work force and supervisory staff is kept on the job of monitoring the system, attending to emergency, restoring the supply in the event of outage, routine and periodic maintenance, meter reading, billing, bill delivery, defraying

administrative expenses not directly related to the consumption of energy. This element of the fixed charges, as an accepted practice, is recovered through the mechanism of minimum monthly charges. These charges reflect the cost of generation and transmission requirement of consumer and are well justified and, therefore, we decide this point against the appellant".

In the above, the appellate tribunal has observed that the element of fixed charges, as an accepted practice is recovered through the mechanism of minimum charges. Hence, the monthly minimum charges are levied to recover the fixed charges of the licensee's facilities that are made available for effecting service to the indenting consumer.

4.3. As per clause 68(a), the demand charges could be taken as fixed charges. Hence, the licensee to recover the monthly minimum charges, may claim the fixed / demand charges.

4.4. As per the tariff order of Hon'ble TNERC the tariff for HT services has two parts (viz) Demand Charges and Energy Charges. The demand charges is the fixed charges component and the energy charges are the charges for the actual energy supplied. Hence, while calculating the monthly minimum charges, for the supply availability notice period, the demand charges alone will have to be charged and no component of energy charges could be added as there was no consumption. Unlike LT services where monthly minimum charges has been specified for each category of LT consumer, no separate monthly minimum charges were specified in the tariff order for HT services, since the demand charges are the fixed charges which are to be recovered as monthly minimum from any HT consumer. Further, as the licensee is making the infrastructure for the entire sanctioned demand and also reserving the entire sanctioned demand for the effecting service connection to the intending consumer the demand charges at the notified rate for the sanctioned load will be the monthly minimum charges.

4.5. In case of LT Industrial service, the monthly minimum is Rs.40 per KW or part thereof of the contracted load, as per the tariff order no.3 dated 31.7.2010 (ie) the monthly minimum charges will be collected for the entire sanctioned load at Rs.40 per KW as per the tariff order

no.3 dated 31.7.2010 . Applying the same analogy to HT service also, the entire sanctioned demand has to be taken for calculating the minimum charges.

4.6. Further, in Veerapandi Common Effluent Treatment Plant Vs SE/Thiruchirapalli EDC the Electricity Ombudsman has already upheld the decision of the licensee in charging the monthly minimum for the supply availability notice period as per clause 31(5) of the TN Electricity Distribution Code in petition No.11/2009 and in the above the minimum charges were calculated at the applicable tariff rate (ie) Rs.300 per KVA per month for the full additional load sanctioned.

4.7. Conclusion :-

The monthly minimum charges for the supply availability notice period will be the demand charges for the sanctioned load at the applicable Tariff rate notified in the tariff order and it is same for the R&C period also.

5.0 In this connection all the Superintending Engineers are instructed as follows :

5.1. As per the CFC's Revenue circular memo.04.04.2009 the Superintending Engineer/Tirunelveli already had been clarified as follows:

" If the intending consumer availing supply during supply availability notice period and he shall pay the monthly minimum charges as per the Tamil Nadu Electricity Distribution Code clause 31(5).Permitting of installment for paying the monthly minimum charges does not arise.

The R&C measure will come into force only after effecting the service connection. Therefore the monthly minimum charges shall be levied during the supply availability notice period at 100% of the sanctioned demand, since the entire demand had been reserved for effecting of service connection and the supply availability notice was issued for the entire sanctioned demand."

5.2. The Ombudsman has reiterated and upheld the CFC/Revenue 's Circular dated.04.04.2009.

6.0. Hence, all the Superintending Engineers are informed that the monthly minimum charges for the supply availability notice period both in case of new connection and in case of effecting HT additional load will be the demand charges for the 100% of sanctioned load and additional load

respectively at the applicable tariff rate notified in the tariff order and it is the same during R&C period also .

6.1. Therefore, the Superintending Engineers are requested to follow the above instructions scrupulously and arrest revenue leakage.

Sd***13.12.2011.

Chief Financial

Controller

TANGEDCO.

Copy to

All the Chief Engineers/Distribution Region –

The Chief Internal Audit Officer/BOAB/Chennai.

The Chief Engineer/IT

The Chief Engineer/Commercial

The Superintending Engineer/Chairman's Office

The Deputy Chief Internal Audit Officers/Distribution Regions

The General Manager/HRD/Chennai.

All the Standing Counsels of TANGEDCO.

Through Email & Hard copy

**TANGEDCO
(ACCOUNTS BRANCH)**

From

M. Manoharan, M.Com., AICWA,
Chief Financial Controller/Revenue,
144, Anna Salai,
Chennai.

To

The Superintending Engineer,
Mettur Electricity Distribution
Circle, Mettur Dam - 636401.

Lr. No./CFC/FC/DFC/AS.3/D.NO. 20/11 dt.29.02.2012

Sir,

Sub:- Elec - Mettur EDC - BOAB Audit - 04/2008 to 03/2009
Audit Objection - raised in the energy quota fixed in
02/2009 in respect Of M/s. Chemplast Sannar, Mettur -
HT SC No.23 - Clarification - Issued - Regarding.

Ref:- Lr.NO.SEM/DFC/AO/HT/A1/E HTSC.23/R.360/11,
dt.13.02.2012.

In the reference cited, the Superintending Engineer/Mettur
Electricity Distribution Circle has stated as follows:

"1. The Chief Engineer/Commercial had issued to instructions
for fixing quota in respect of consumers partially using power from CPP as
stated below vide letter dt:

Fixing of energy quota:

- | | | |
|---|-------|-----|
| i). Monthly base energy as per 01.11.2008 | | A |
| ii). In that actual supplied (monthly
average) for the above 3 months average
by the CPP | | B |
| iii). The actual energy availed by consumer
from TNEB (A-B) | | C |
| iv). 60% energy on C (Cx60%) | | D |
| v). The quota fixed for energy | | B+D |

In the illustration enclosed with the above reference also, the Energy Quota had been fixed as below:

i)	Base Energy calculated	= 1,00,000 units	(A)
ii)	The energy supplied by the CPP	= 80,000 units	(B)
iii)	Units supplied by the TNEB	= 20,000 units	(A-B=C)
iv)	40% cut on energy supplied by TNEB	= 20000x 40%=8000	
v)	60% of the energy quota fixed	= 20000-8000=12000	(D)
vi)	Energy Quota fixed: (B +D)	= 80000 + 12000 = 92000	

2. It can be seen from the above that in 17.11.2008 instructions, it has not been specifically instructed that the B + D should be shown separately.

3. Accordingly, the quota was fixed and communicated to M/s.Chemplast Sanmar Limited, HT SC.No.23 who were using power from CPP as below by showing B + D totally.

i)	Base energy	= 1,46,32,000 units	(A)
ii)	In that actual supplied (monthly average) for the above 3 months average by the CPP	= 1,16,43,806 units	(B)
iii)	The actual energy availed by consumer from TNEB	= 29,88,194	(A-B)= (C)
iv)	60% energy on C (Cx60%)	= 17,92,916	= (D)
v)	The quota fixed for energy	= 1,34,36,722 units	(B+D)

4. But the BOAB Audit Party have raised the Audit Objection for the period from 04/2008 to 03/2009 in respect of the above said service for the month from 12/2008 to 02/2009 and pointed out short levy for Rs.1,16,15,27 based on the billing methodology communicated in the C.F.C/Rev's in Lr.No. 22/ CFC/ Rev: /FC/DFC/ AO/ HT/2009 dated:06.02.2009 is below by taking into Account the B, D separately as below:

Energy quota fixed by Audit :

i).	Monthly base energy consumption on 01.11.08	=1,46,32,000 (A)
-----	---	------------------

- ii) In that energy supplied for the above
3 months by the CPP = 1,16,43,806 (B)
- iii) Actual energy availed by the consumer (A-B=C) = 29,88,194 (C)
- iv) Energy quota 60% on energy (2988194x60%) = 17,92,916 (D)
- v) Quota fixed for energy = 17,29,916 units.
- vi) Actual energy supplied by CPP in 02/09 = 16,12,884 units

5. In this regard, it is submitted that during 11/2009 only in C.E/Comm'l's Memo.No.CE/Comm'l./EE/DSM/AEE/PMM/F.Power Cut/ D.508/ 09,Dt .25.11.09 it was specifically stated that the B, D should be shown separately without adding .

6. Whereas, the BOAB Audit Party have raised the Audit objection by giving retrospective effect.

7. Hence, the C.E/Commercial, was addressed from this office vide Lr.No.SEM/DFC/AO/HT/A4/F.BOAB/2008-09/PR.60-1/09 dt.23.10.2009 to confirm the correctness of the Audit objection.

8. However, based in the Audit remarks, consumer was addressed from this office vide this office Lr.No.SEM/ DFC/AOR/HT/A4/ F.BOAB/2008-09/R.271/10, Dt.24.12.10 to collect the amount.

9. In letter dated 08.01.2011, the above said consumer has objected for the short levy pointed out."

10. Therefore, the Superintending Engineer/Mettur EDC has requested that it may please be confirmed the correctness of the audit Slip raised by giving retrospective effect to proceed further in this matter.

In this connection the Superintending Engineer is hereby clarified as follows:

11. The Government of Tamil Nadu had implemented Restriction and Control measures on the usage of electricity to all Industrial and Commercial consumers in the State. Based on the order of the Government, a notice dt 01.11.2008 was communicated to all HT consumers and commercial consumers containing instructions for Power cut that the quota for the use of power will be fixed based on the consumption of the consumer for the period from October 2007 to October 2008. The highest consecutive three months average energy consumption during the aforesaid period would be arrived as Base Energy and 40% cut on energy had been

imposed. The remaining 60% had been fixed as Energy Quota. The base demand had been arrived as the maximum recorded demand in the HT service during the aforesaid period subject to the condition that if the maximum recorded demand exceeded sanctioned demand, sanctioned demand was base demand and 40% cut on the Base demand has been imposed. The remaining 60% had been fixed as Demand quota. However, during the peak hours (18.00hrs to 22.00hrs) the consumers had been permitted 5% of the demand and energy quota plus Transformer loss as a peak hour demand and energy quota for lighting and security purposes only.

12. In continuation to the above, large number of representations were received from various H.T. consumers having Captive Power plants requesting exemption from power cut, as they were unable to utilize the energy generated through their Captive Power Plants due to Restriction & Control measures. The demand and energy quota for the H.T. consumers using power partially from their Captive Power Plants had been refixed as per Memo.No:CE/Comm1 / EE / DSM/ AEE/ PMM / F.Powercut/ D.28/ 2008, Dt :17.11.2008.

13. Subsequently, the Chief Engineer /Commercial has modified partially the order dt 17.11.2008 with regard to fixation of quota in respect of Generation of Power through Captive Power Plants by HT Consumers vide Memo. CE/Comm1/ EE/DSM/AEE/PMM/F.Powercut/D.87/08, dt 19.12.08. In that letter, the Chief Engineer /Commercial has issued working illustration in connection with fixation of quota and computation of excess demand as follows:

ILLUSTRATION

Demand supplied by the generator (Deemed Demand) has been worked out by the following formula while preparing the HT bill.

$$\text{Deemed Demand} = \frac{\text{Units supplied by the Generator}}{\text{No. of days for the month} \times 24 \text{ hours} \times \text{Power Factor}}$$

Example:

In one Service Maximum Recorded Demand 1092.40 KVA E

If the units supplied by the generator excluding loss component is 2,00,000 and assumed that the average power factor during the month is 0.95. No. of days is 30 in the month, then

$$\text{The Deemed Demand} = \frac{200000}{30 \times 24 \times 0.95} = 292.40 \text{ KVA} \quad \text{--- F}$$

Injection voltage is 110 KV and drawal voltage is 22/11 KV

$$\text{CGP supplied demand is } 60.44\% \text{ of } 292.40 \text{ KVA} = 176.73 \text{ KVA} \quad \text{--- K}$$

$$\text{TNEB supplied demand is } 39.56\% \text{ of } 292.40 \text{ KVA} = 115.67 \text{ KVA} \quad \text{--- L}$$

Quota Fixed Method:

$$\text{TNEB supplied Demand } (1092.4 - 292.40) = 800 \text{ KVA} = \quad \text{G}$$

$$(E - F)$$

Add: Billable demand (share of the TNEB

$$\text{Supplied demand in the deemed demand} = +115.67 \text{ KVA} = \quad \text{L}$$

$$\text{Total base demand } (800 + 115.67) = 915.67 \quad (G + L)$$

$$60\% \text{ of quota demand } (915.67 \times 60\%) = 549.60 \text{ KVA} \quad S \times (G + L)$$

where S is the percentage of demand allowable after deducting the percentage of applicable demand cut (in the present case 60%)

$$\text{Total quota fixed } R = 176.73 + 549.6 = 726.33 = K + S (G + L)$$

The above calculation is an example to fix quota for TNEB demand.

$$\text{For the next month recorded demand assumed as} = 900 \text{ KVA}$$

Then the calculation for excess demand is as follows:-

$$\text{Allotted units excluding loss component} = 1,50,000 \text{ units}$$

$$\text{Average Power Factor} = 0.95 \text{ (This is variable}$$

$$\text{month)} \quad \text{Depends upon the}$$

	1,50,000	
Demand supplied by the generator	= $\frac{1,50,000}{30 \times 24 \times 0.95}$	= 219.30 KVA
CPP Supplied demand	= 219.30 x 60.44%	= 131.58 KVA
Nett demand recorded and supplied by TNEB	= 900 - 131.58 = 768.42 KVA	
TNEB demand quota fixed	= 549.40 KVA	
Excess demand availed	= 768.42 - 549.40 = 219.02 KVA	
Billable demand charges	= 768.42 x Rs.300 + 219.02 x Rs.600	

14. From the above working illustration, it could be clearly understood that the excess demand charges has to be levied for the demand quota fixed for the TNEB power as per the above method. Had the above working instructions been applied in time, the charges on the excess over demand quota could have been collected earlier (ie during 12/2008 to 10/2009, since the circular dt 19.12.2008 was cancelled only in S.M.P.NO. 1 of 2009 dt.28.10.2009 by the Hon'ble TNERC). Moreover as per the Circular memo 17.11.2008, it is clearly mentioned in page no.3 last para that "the consumer shall not exceed demand/energy quota fixed for the TNEB power for any reasons, either due to outage of generator of their supplier or short supply from their supplier, etc., it is their responsibility to monitor this with their generator. The excess demand/energy charges shall be collected as prescribed by TNERC for the quota violated." From the above, excess demand/energy charges should have been collected for the consumption in excess of demand/energy quota fixed for TNEB power.

15. It has been also been stated in Circular memo. dt.17.11.2008 that an undertaking has to be obtained from the consumer by the concerned Superintending Engineers of Distribution circles agreeing to pay the excess demand charges for the demand quota fixed and energy used by the consumer from TNEB as fixed by the TNERC.

16. In view of fact, the audit objection is in order and the Superintending Engineer/Mettur is hereby instructed to collect the excess charges as intimated by the Audit after scrutinizing the Audit slips based on the above lines.

Sd***29.02.2012.

Chief Financial Controller
Revenue/TANGEDCO.

Copy to
All the Superintending Engineer/Distribution Circles.

TANGEDCO
(ACCOUNTS BRANCH)

From
M.Manoharan, M.Com.,AICWA.,
Chief Financial Controller/Revenue,
144 Anna Salai,
Chennai-600 002.

To
All the Superintending Engineers,
EDC Distn Circle,
TANGEDCO.

Lr.No.CFC/REV/DFC/REV/AAO/REV/F.E.TAX/D.137/12, dt14.03.2012.

Sir,

Sub: Short levy of Electricity Tax on components of Power Factor
Incentive and night time rebate - Recovery period - Reg.

Ref: 1. Lr.No.CFC/R/FC/R/D.No.131/10, dt.05.07.2010.
2. Lr.No.CFC/FC/R/AS.2/D.No./12, dt.25.01.2012.
3. Tamil Nadu Spinning Mills Association, Dindigul letter dated
28.01.2012.

In the above reference (3) cited, M/s.Tamil Nadu Spinning Mills
Association, Dindigul have stated the following:

"1. The Accountant General (Audit) has erred in his view that the Power Factor Incentive given and the Night Hour Rebate allowed should have been subjected to Electricity Tax. The Energy Department of Government of Tamil Nadu has also made the same error. Apparently the Energy Department has endorsed the view of the Accountant General in the interest of revenue to the Government. As an interested part, its views should not have been taken by you and you should not taken an independent legal opinion from a reputed lawyer before taking any action on the matter. We request you to do so even at this stage and till you get a corroboration of the Accountant General's view we request you to defer the demand on the alleged short levy.

2. The Section 2(7) of the Tamil Nadu Tax on Consumption or Sale of Electricity Act, 2003 (the Act 12 of 2003) does not mention the words " Consumption charges" or "incentive". It used the word "rebate" but that is specifically in the context of rebate for payment of the charges on or before due date. Thus, if any rebate is allowed for payment on time is allowed, then that rebate alone should also be subject to Electricity Tax. There is no reference to the Night Hours Consumption Rebate at all in the Act. Therefore being this night time rebate also into taxable amount is not sanctioned by the Act, 12 of 2003.

3. If the Energy Department's view that any rebate from tariff is to be added back to "Consumption charges" is accepted, then any premiums charged over the tariff should also be deducted from "consumption charges". Accordingly, the premium charged for consumption in peak hours should be deducted from the levy of the Tax.

4. The Act, 12 of 2003 also does not provide for any incentive given from being brought under tax net. The word incentive is not found in the Section 2(7) at all. What the Act talks about is "concession" and that is very different from incentive. The Power Factor Incentive is given for the advantage TANGEDCO gets when our members maintain a high power factor. Our members do not get any advantage due to the high power factor; as a matter of fact our members have to incur additional costs for raising the power factor by way of installation of suitable capacitors.

5. The Power Factor Incentive is a part of the tariff. Please refer to Paras 9.22.2.2 and 9.11.2.3 of latest tariff order of TNERC (TNERC Tariff Order 3 of 2010 dated 31.07.2010). The incentive is a part of the tariff and hence it should be treated as tariff concession as defined by the Explanation 1 to the Section 2(7) of the Act. It is not a "concession" which is required to be added back for levy of the Tax.

6. The Act specifically mentions the rebate and the concession to be subjected to Tax. Therefore, the Energy Department cannot go beyond the Act to bring into the tax net all the rebates and the incentives.

7. Section 9(3) of the TN Tax on consumption or Sale of Electricity Act, 2003 stipulates that no sum due from any consumer shall be recoverable after a period of four years.

8. Our members have made heavy investments in raising the power factor on your assurance of giving the power factor incentive and accordingly, they have started receiving the incentive up to 31.07.2010. Now by no stretch of imagination such incentive could be subjected to tax under Act, 12 of 2003.

9. Our members had rearranged our production schedule in the last several years to avail the Night hour Consumption Rebate. Our members had incurred additional expenditures including paying night shift allowance to workmen for running their factory in the night time. Now after so many years you cannot seek to tax on this rebate when it is not specifically warranted in the Act."

In this connection, a Circular memo. vide ref.(1) cited have been sent to all the Superintending Engineers/EDC Circles/TANGEDCO with a copy

marked to all the Chief Engineers/TANGEDCO, the Chief Engineer/Commercial, the Chief Engineer/IT, EELT, Resident Audit Office/AG Audit and CIAO.

The Legal Cell clarifies that the Section 5 of the Tamil Nadu Tax on Consumption or Sale of Electricity Act provides that every Person other than a licensee or the State Govt. who has installed a generating plant for generation of electricity for his own consumption shall register his name with such officer appointed by the Govt. in that behalf. Section 8 of the said Act require every licensee and every person other than a licensee shall maintain books of accounts and shall submit return showing the units of electricity supplied and the amount of electricity tax payable thereof to the Director appointed under the said Act. The said Director is empowered under Section 9 of the said Act, to assess the Electricity Tax payable by such licensee/other person, in the case of non-filing of return or the return filed is found to be incorrect or incomplete. The bar of four (4) years specified in sub-section (3) of the Section 9 is applicable to the cases of licensees and/or other persons referred to above. The said limitation of four years is not applicable to cases of consumers of TANGEDCO as (wrongly) stated by TSMA.

Therefore, all the Superintending Engineers of EDC Circles are informed that the limitation of four years is not applicable to cases of consumers of TANGEDCO.

Sd***14.03.2012.
Chief Financial Controller/Revenue
TANGEDCO.

Copy to
All the Chief Engineers/Distribution Region –
The Chief Internal Audit Officer/BOAB/Chennai.
The Chief Engineer/IT/Chennai.
The Chief Engineer/Commercial
The Superintending Engineer/Chairman's Office
The Deputy Chief Internal Audit Officers/Distribution Regions
The Deputy General Manager/STC/Chennai.
All the Standing Counsels of TANEDCO.
The Chief Financial Controller/General/TANGEDCO.

Through Email & Hard Copy

TANGEDCO
(ACCOUNTS BRANCH)

From

M.Manoharan ,M.Com.,AICWA.,
Chief Financial Controller/Revenue,
144,Anna Salai,
Chennai -2.

To

The Superintending Engineer,
Chennai Electricity Distribution
Circle/North,Chennai-6000034.

Lr. No.CFC/REV/FC/DFC/AAO/AS.3/D.NO.764/11 dt.12.11.2012

Sir,

Sub :- Electricity – Chennai – EDC/North – H.T.supply to
M/s.MRF Ltd., under H.T.Sc.No. 1030 – Excess
Energy charges levied by audit – Clarification
Issued – Regarding.

Ref: 1. BOAB Audit objection in A.S.No.76 dated 27.4.11.

2. Lr.No.SE/CEDC/N/AAO/HT1030/A2/D1793/12.
dated:17.4.2012 AND 24.8.2012.

3. Lr.No.SE/CEDC/N/AAO/HT1030/A2/D.2802/12
dated:09.10.2012.

In the reference 3rd cited wherein it has been stated as follows:

1. The instruction was requested vide this office letter dated for levying the excess energy charges in respect of wind energy adjusted in H.T.service based on the audit objection. Therefore it is requested to issue a clarification in the following please.

2. The current consumption bill for 09/2009 were rendered in respect of M/s.MRF Ltd., under H.T.Sc.No.1030 is as follows:-

Basic Energy	3845200
Thirdparty	1421000
Windmill	2334731
Balance	89469
Normal quota	
80%	71575
Peak hour quota	3578.76
Tr.capacity	9600
Total peak quota	13178.76

	c1	c2	c3	c4	c5	Total
Industrial	497880	263400	86160	1651680	1167000	3666120
thirdparty	157500	283500	94500	518000	367500	1421000
Balance	340380	-20100	-8340	1133680	799500	2245120
Less: Windmill	272306	272306	108144	1081438	600537	2334731

	Peak (c1+c2)	Night (c5)	Others (c3+c4)	Total (c1 to c5)
Industrial	340380	799500	1133680	2273560
Wind Mill	544612	600537	1189582	2334731
Billable	-204232	198963	-55902	

Normal quota is 71575

Energy billed 198963

Excess Energy charges $(198963 - 71575) \times 3.5 \times 2 = \text{Rs. } 8,91,716/-$

No peak hour excess energy charges levied since the billable peak energy during 6pm to 10 pm is nil.

The Audit excess energy charges working is as follows:-

Base Energy	3845200					
Thjirdparty	1421000					
Windmill	2334731					
Balance	89469					
80% Energy quota	71575					
Normal quota	67996					
peak hour quota	3579					
	c1	c2	c3	c4	c5	Total
Industrial	497880	263400	86160	1651680	1167000	3666120
thirdparty	157500	283500	94500	518000	367500	1421000
Balance	340380	-20100	-8340	1133680	799500	2245120
Less: Windmill	272306	272306	108144	1081438	600537	2334731
Billable	68074	-272306	-108144	52242	198963	-89611

Normal usage (c1+c4+c5) 319279 units

Normal Quota 67996 units

Evening peak hrs 5%
Energy quota 3578 units

Excess Energy units 251282.56

Excess over energy charges Rs.1758978/-

3. As per wind energy agreement executed by the consumer, the generated wind energy shall be adjusted in 3 slot only and after adjustment only the excess energy was arrived as per software developed by computer centre and also the instruction of CFC/Revenue Ir. dated 17.9.2010 and further communication illustration also (i.e.), 14.2.2011 and 23.8.2011 and 27.3.2012 wherein it was clearly stated that the excess may be worked out after adjusting the c2 wind energy received get surplus to the c1 slot and c3 wind energy get surplus the same can be adjusted in c4 slot and said after subtraction of units the billable energy charged shall be taken for arriving excess energy during normal hour and peak hour.

4. However, the audit objection was intimated to the consumer. The consumer has objected the audit objection and request to withdraw the audit objection their letter dated 12.3.2012.

5. The audit party has worked out the excess energy without adjustment of surplus wind energy available in c2 slot to c1 slot and c3 slot to c4 slot and the 5% peak hour quota units allotted to the consumer is deducted from the normal hour quota and excess worked out which is contrary to the instruction of CFC/Rev. U.O. dated 28.6.2010.

6. In the above circumstances, it is requested for instruction as to whether the excess energy during normal and peak hour shall be worked out as per audit remarks or after adjusting the surplus c2 and c3 wind energy generation in c1 and c4 respectively and also as per the oracle package of H.T. billing please. In this connection, the Superintending Engineer is hereby informed as follows:

7. As per the earlier instruction in respect of Chief Financial Controller's dt. 17.09.2010, 14.02.2011, 23.08.2011 and 27.03.2012, the excess charges in respect of the normal HT consumer is computed as follows:

Illustration:-1

Fixation of Demand Quota :-

Base demand	= 1500 KVA
60 % demand quota	= 900 KVA
During peak Hr quota (6.00 PM to 10.00 PM)	
10% of the demand quota	= 90 KVA

Fixation of Energy quota:-

Base Energy = 26607 Units

Energy quota = 15964 Units

During peak hour (6.00 PM to 10.00PM)

10% of the Energy quota = 1596 Units

Computation of excess energy charges:

	C1	C2	C3	C4	C5	Total
1. Industrial Consumption	12302	12574	1918	17978	16612	61384
2. Less power purchased	10000	10000	1000	10000	10000	41000
3. Net Billed Units	2302	2574	918	7978	6612	20384
4. Quota		1198	398			15964
5. Excess availed by the consumer		1376	520			4420

Excess over quota energy = 4420 units

Evening peak hour excess over quota = 1896 units

Excess energy charges 4420 units – 1376 units = 3044 x Rs.5.5x2

= Rs. 33, 484

Excess energy during evening peak hour = 1376 x Rs.6.6x2

= Rs. 18,163

Total excess energy charges = Rs. 51, 647

8. As per the above method in respect of adjustments service , the excess energy charges is also levied as follows:

Illustration :-2

Energy quota = 76400 Units

Peak Hr Energy Quota = 8000 Units

Calculation of Net Billed units :-

	C1	C2	C3	C4	C5	Total
Industrial	497880	263400	86160	1651680	1167000	3666120
Less IEX	10000	10000	7500	25000	20000	72500
Less 3 rd party	15000	15000	7500	25000	23000	85500
Balance	472880	238400	71160	1601680	1124000	3508120
Consumption Converted to 3 Slot	Peak	Night	Normal	Total		
	711280	1124000	1672840	3508120		
CPP Thermal	250000	224000	226000	700000		
Wind	461280	800000	1446840	2708120		
Net Billed	0	100000	0	100000		

Computation of Excess Energy charges :-

	C1	C2	C3	C4	C5	Total
Industrial	497880	263400	86160	1651680	1167000	3666120
Less IEX	10000	10000	7500	25000	20000	72500
Less 3 rd party	15000	15000	7500	25000	23000	85500
CPP	120000	130000	55000	171000	224000	700000
Wind	352880	108400	16160	1430680	800000	2708120
Net Billed Units	0	0	0	0	100000	100000
Quota		6000	2000			76400
Excess Energy		0	0			23600
Excess Energy Charges	23600x11	Rs.259600				

9. In this connection it is stated that with regard to adjustment of wind energy, necessary instructions already have been issued vide dt.17.09.2010, 14.02.2011, 23.08.2011 and CFC's letter dt.28.11.2011 and 27.03.2012 that adjustment made only three slot whether the generation made either in 3 slot or 5 slot, the adjusted energy shall be converted into 5 slot to compute the excess demand and energy charges. Since, they were executed an agreement wherein it has been stated that adjustment made on 3 slot basis only.

10. Further, the energy quota is not divided into 2 parts namely 20 hrs quota and 4 hrs quota and also the excess charges are not being computed accordingly. The excess energy charges shall be levied in accordance with the above method which was communicated earlier vide illustration in CFC's circular as mentioned in the para 9.

11. Hence, method of computation by the audit party (ie) the excess energy without adjustment of surplus wind energy available in C2 slot to C1 slot and C3 slot to C4 slot & vice-versa and the deduction of energy 10% peak hr quota from the monthly energy quota are contrary to the earlier Chief Financial Controller/Revenue's billing instructions and also to the Hon'ble Tamil Nadu Electricity Regulatory Commission's wind energy orders. Therefore, the audit objection is not in order.

12. Therefore, the Superintending Engineer is hereby requested to take necessary action accordingly.

Sd/-12.11.2012.

Chief

Financial

Controller/Revenue

Copy to