

**Tamil Nadu Electricity Regulatory Commission**  
**No.19A, Rukmini Lakshmipathi Salai, Egmore,**  
**Chennai – 600 008.**

TNERC/DD(L)/F. RA 1 / dated 22-02-2013

WHEREAS an appeal was filed by M/s. Sai Regency Power Corporation Pvt. Ltd. in Appeal No. 91 of 2012 before the Appellate Tribunal for Electricity against the Order dated 28-12-2011 of the Commission in MP No.3, MP No.9, MP No. 11, MP No. 12 of 2011.

AND WHEREAS Appellate Tribunal for Electricity remanded the said appeal to the Commission by observing as follows:

*“48. Summary of findings:-*

*iii) Therefore, we remand the matter to the State Commission with the direction to determine the transmission charges per MW per day applicable after the reorganisation of the Electricity Board on the basis of the summation of the capacity allotted to all long term open access customers including utilisation by TANGEDCO. However, the Annual Transmission Charges as determined by the State Commission in the order no. 2 dated 15.5.2006 will remain unchanged. For the wind energy generators allotted capacity shall be the installed capacity of the respective generator. For TANGEDCO, the allotted capacity shall be calculated on the basis of sum of net capacity of own generation connected to the intra-state transmission system, long term contracted capacity from IPPs, share in Central Sector Stations, etc.”*

AND WHEREAS in its order dated 31-1-2013 in Appeal No. 45 of 2012 has held as follows:

*“14. Summary of the finding:-*

*The Appeal is disposed of in line with the findings of this Tribunal in the judgment in Appeal no. 91 of 2012 as under:-*

*A) We remand the matter to the State Commission with the direction to determine the transmission charges per MW per day applicable after the reorganisation of the Electricity Board on the basis of the summation of the capacity allotted to all long term open access customers including utilisation by TANGEDCO. However, the Annual Transmission Charges as determined by the State Commission in the order no. 2 dated 15.5.2006 will remain unchanged. For the wind energy generators allotted capacity shall be the installed capacity of the respective generator. For TANGEDCO, the allotted capacity shall be calculated on the basis of sum of net capacity of own generation connected to the intra-state transmission system, long term contracted capacity from IPPs, share in Central Sector Stations, etc.*

*Xxx  
Xxx  
Xxx*

*15. The Appeal is partly allowed to the extent indicated above in line with this Tribunal’s judgment in Appeal no. 91 of 2012. The State Commission shall pass the consequential order as per the directions given in this judgment. No order as to cost.”*

AND WHEREAS in its order dated 4-2-2013, the Appeal No. 102 of 2012, the Hon’ble Tribunal has held as follows:-

*“39. Summary of our findings:-*

*i) According to Tariff Regulations, the transmission charges are to be determined on the basis of allotted transmission capacity to long term open access customers. However, the State Commission has not followed*

*the Regulations and has determined the transmission charges on the basis of available capacity based on the system studies as furnished by the transmission licensee. When the Regulations provide determination of the transmission charges in a particular manner then the Commission has to determine the transmission charges in that manner only. Similar issue had been dealt with by this Tribunal in Appeal no. 91 of 2012 in the matter of Sai Regency Power Corporation Pvt. Ltd. vs. Tamil Nadu Electricity Regulatory Commission & Ors. wherein the Tribunal gave certain directions for determination of transmission charges payable by the users of the intra-state transmission system. The findings of the Tribunal in the above judgment will also be applicable to this case also. Accordingly, we remand the matter to the State Commission to re-determine the transmission charges payable by all the long term open access customers, including Respondent no. 3, of the intra-state transmission system as per our directions.”*

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AND WHEREAS it has been decided by the Commission to initiate proceedings to give effect to the aforesaid directions of the Hon’ble Appellate Tribunal for Electricity;

AND WHEREAS certain basic data are required to undertake the above exercise;

Notice is therefore hereby given to TANTRANSCO to file the following details within 15 days from the date of receipt of this notice.

1. Total allotted transmission capacity including transmission capacity allotted to TANGEDCO for the concerned periods.

2. Allotted transmission capacity to various LTOA customers including TANGEDCO.
- 2.(a) Category-wise allotted LTOA transmission capacity to the OA consumers who are availing concessional transmission charges.
3. Revenue from STOA customers.
4. Revenue from captive OA customers who are charged on concessional basis or in energy terms.
5. Break up of concessional charges into transmission charge entitlement of TANTRANSCO, wheeling charge entitlement of TANGEDCO and allocation of T&D loss charge component to TANTRANSCO and TANGEDCO.
6. Revenue from other Businesses; and
7. Net generation of TANGEDCO connected to the Intra-State transmission system, long term contracted capacity from IPPs and share in the central sector station.
8. Any other relevant details as may be considered relevant to be provided by TANTRANSCO for determination of transmission charge.

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

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

**/True Copy/**

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

To

1. The Chairman & Managing Director  
TANGEDCO,  
NPKR Malaigai,  
144, Anna Salai,  
Chennai – 600 002.
  
2. The Chairman & Managing Director  
TANTRANSCO,  
NPKR Malaigai,  
144, Anna Salai,  
Chennai – 600 002. - to host the order in the website.
  
3. M/s. Sai Regency Power Corporation Pvt. Ltd.  
Office No.3, II nd Floor, Crown Court,  
128, Cathedral Road,  
Chennai – 600 084.
  
4. M/s. Beta Wind Farm P. Ltd.  
4<sup>th</sup> Floor, Sigapi Achi Building,  
18/3, Rukmini Lakshmipathi Road,  
Egmore, Chennai – 600 008.
  
5. The Assistant Director (Computer)  
Tamil Nadu Electricity Regulatory Commission  
No.19A, Rukmini Lakshmipathy Salai  
Egmore,  
Chennai – 600 008. - for hosting in the website.

