

TAMIL NADU ELECTRICITY REGULATORY COMMISSION

(Constituted under section 82 (1) of the Electricity Act, 2003)

(Central Act 36 of 2003)

PRESENT:-

Thiru.M.Chandrasekar Chairman

Dr.T.PrabhakaraRao Member

and

Thiru.K.Venkatasamy Member (Legal)

Suo Motu Proceedings No.1 of 2020

Tamil Nadu Spinning Mills Association & 6 others. ... Petitioners

Vs.

Tamil Nadu Generation and Distribution Corporation Limited

NPKRR Maaligai

No.144, Annasalai

Chennai – 600 002.

... Respondent

In the matter of verification of Captive status of the CGPs by TANGEDCO and extension of time for verification.

Date of Order: 24-04-2020

ORDER

1. Commission in its Order in R.A.no.7 of 2019 dated 28-01-2020, issued the procedure for verification of CGP status from the year 2014-15 with a notice to be issued to the CGPs, seeking documents within a period of four weeks from the date of receipt of notice. For the subsequent period, CGPs has to furnish the documents before 30th April as stated in Para 7.9.4 of the said Order.

2. Many CGPs have brought to the notice of the Commission that notices are being issued by the TANGEDCO, but as given in the notice, the time of four weeks provided to the Generators / Captive users to submit the documents is not sufficient in view of the extraordinary situation experienced due to the Corona (COVID 19) Pandemic, and sought the extension till the normalcy is restored.
3. TANGEDCO has stated that the notices are being issued from March 2020 to CGPs in line with the Procedure issued by the Commission in the R.A.7 of 2019 and the documents are to be submitted by the CGPs within the time as stipulated. But considering the out break of COVID – 19, TANGEDCO is also agreeable for allowing time extension.
4. 4.1. According to the existing Procedure under Order of R.A.7 of 2019, the Petitioners shall submit the required documents within four weeks from date of receipt of the Notice from Licensee, for the period 2014-15 to 2016-17. But at present, the Commission has taken note of the fact that the State is facing grave public health crisis on account of COVID-19 and difficulties faced by CGPs in submission of requisite documents to the Distribution Licensee. On account of the pandemic of COVID-19 and resultant situation, Commission considers that, the CGPs shall be allowed a period four weeks afresh from the date of lifting of Lock down in their respective areas, in the cases of CGPs for which TANGEDCO already issued Notices.

In the cases of CGPs, for which Notices are yet to be issued (after lifting of lock down period) by the TANGEDCO, a period of four weeks shall be permitted from the date of receipt of notice for submission of documents as stipulated in the procedure.

Thereafter, the Distribution Licensee has to complete the verification process within three months from the date of receipt of required documents from the Petitioners. Moreover, as the Order covered the period of 2014-15 to 2016-17 in the para 7.2.5, the Financial years 2017-18 and 2018-19 also having elapsed on

the date of order, the Distribution licensee has to complete the above process within the revised time frame stated above.

4.2. TANGEDCO is directed to complete the above exercise i.e., issuance of Notice for the period of 2014-15 to 2018-19, within one month from the date of lifting of Lock down.

4.3. As required in the Procedure specified in the said R.A.no.7 of 2019, under Para 7.9.4 of the Order, the CGPs are to submit the documents on their own by 30th April in regard to FY 19-2020; but in the meanwhile lock down has come into force. In view of this, the CGPs are permitted to furnish the documents, for the year 2019-20, within one month from the date of lifting of Lock down in their respective area; and the Licensee shall complete the verification process within three months from the date of receipt of prescribed documents. For the year 2019-20, no separate notice, calling for the documents, will be issued by the Distribution Licensee. From the FY 2020-21, relevant documents shall be furnished as per para 7.9.4 of the said R.A.7 of 2019.

4.4. The Distribution Licensee is directed, in this regard, to furnish the monthly progress on the status of CGP verification on 10th of every month to the Commission – incorporating (a) Notices issued to the CGPs, (b) Documents obtained during the month and (c) No. of CGPs for which verification completed.

Sd/-
(K.Venkatasamy)
Member (Legal)

Sd/-
(Dr.T.PrabhakaraRao)
Member

Sd/-
(M.Chandrasekar)
Chairman

/True Copy /

Secretary
Tamil Nadu Electricity Regulatory Commission