



TAMIL NADU ELECTRICITY REGULATORY COMMISSION

4th Floor , SIDCO Corporate Office Building. Thiru Vi Ka Industrial Estate , Guindy, Chennai-600 032, Phone :044 29535806,29535816, Fax: 295355893

email: tnerc@nic.in

Website: www.tnerc.gov.in

Ref No. Legal/1130/2023

Date: 18-07-2023

GENERAL NOTICE

Sub : Invitation of comments / remarks / suggestions from all similarly placed generators on the questions framed by the Hon'ble High Court of Madras in its order dated 27-08-2021 in D.R.P. No.5 of 2014, T.A. No. 13 of 2022 to T.A. No. 15 of 2022, T.A. No. 17 of 2022 to T.A. No. 48 of 2022, T.A. No. 50 of 2022 to T.A. No. 57 of 2022, T.A. No. 59 of 2022 to T.A. No. 65 of 2022, T.A. No. 1 of 2023 and T.A. No. 2 of 2023 – Reg.

Ref: 1. Order dated 27-08-2021 of Hon'ble High Court of Madras in W.P. No. 7736 of 2015, W.P. No. 26266 of 2013, W.P. No. 26553 of 2013, W.P. No. 27269 of 2013, W.P. No. 28093 of 2013, W.P. No. 28443 of 2013, W.P. No. 27324 of 2013, W.P. No. 27325 of 2013, W.P. No. 27326 of 2013, W.P. No. 27807 of 2013, W.P. No. 27808 of 2013, W.P. No. 27841 of 2013, W.P. No.28374 of 2013, W.P. No.28438 of 2013, W.P. No. 28440 of 2013, W.P. No. 28451 of 2013, W.P. No. 28885 of 2013, W.P. No. 28886 of 2013, W.P. No. 28952 of 2013, W.P. No. 30433 of 2013, W.P. No. 30502 of 2013, W.P. No. 30629 of 2013, W.P. No.30630 of 2013, W.P. No. 31160 of 2013, W.P. No. 33026 of 2013, W.P. No. 33113 of 2013, W.P. No. 33151 of 2013, W.P. No. 33150 of 2013, W.P. No. 33210 of 2013, W.P. No. 33115 of 2013, W.P. No. 33116 of 2013, W.P. No. 33117 of 2013, W.P. No. 33119 of 2013, W.P. No. 33118 of 2013, W.P. No. 33114 of 2013, W.P. No. 35041 of 2013, W.P. No. 35042 of 2013, W.P. No. 848 of 2014, W.P. No. 869 of 2014, W.P. No. 4924 of 2014, W.P. No. 14037 of 2014, W.P. No.14952 of 2014, W.P. No. 272 of 2015, W.P. No. 6382 of 2014, W.P. No.17057 of 2014, W.P. No. 3522 of 2017, W.P. No. 23902 of 2017, W.P. No. 31774 of 2013, W.P. No. 7887 of 2015, W.P. No. 31037 of 2013, W.P. No. 6560 of 2015, W.P.(MD) No. 18712 of 2013 and M.P. (M.D.) Nos. 1 to 3 of 2013.

2. Daily order dated 06-07-2023

In pursuance of the directions of the Commission in its Daily Order dated 06-07-2023 to publish a general notice about the pendency of the cases mentioned herein in the website of the Commission to all similarly placed generators for their comments / remarks / suggestions on the subject matter, which are specifically set

out hereunder so as to facilitate the disposal of the matter in compliance with the direction of the Hon'ble High Court of Madras, it is hereby directed that all generators who are similarly placed as that of the petitioners / applicants herein, shall be at liberty to putforth their comments/remarks/suggestions on the subject matter on the questions framed by the Hon'ble High Court of Madras in para 26 of its order dated 27-08-2021 within 15 days from the publication of this general notice in the website of the Commission. The questions framed by the Hon'ble High Court of Madras are as follows:-

- “(a) Clarify whether, in case of start-up power by generators, whether the same should be charged at the rate of energy and energy equated demand charges or whether it should be charged on the basis of two-part tariff and how the charges are to be raised and recovered.*
- (b) whether, if the drawal of start-up power by generators are to be billed on the basis of two part tariff of Rs.300/KVA/Month and Rs.9.50 Rs./kWh, the demand charges should be pro-rated to actual hours of usage instead of calculating it for the entire month.*
- (c) Whether, if the drawal of start-up power by generators are to be billed on the basis of two part tariff of Rs.300/KVA/Month and Rs.9.50/kWh, the demand charges are to be based on actual percentage of maximum demand or on the demand being fixed by TANGEDCO.*
- (d) How different categories of generators are to be treated while determining the startup charges and;*
- (e) To issue appropriate orders under section 62 (6) of the Act, in case of payments to be made to the generators / consumers since the petitioners have deposited charges in compliance with the conditional orders passed by this court.”*

Take notice that failure to submit comments / remarks / suggestions before the scheduled date would be construed as having no remarks to offer on the subject and

orders would be passed on the basis of available material records and submissions by the parties who choose to participate in the consultative exercise.

/ By Order of the Commission/



**Secretary
Tamil Nadu Electricity
Regulatory Commission**

To

All concerned