

**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

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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.