

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. 4 of 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) Para 12) 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.