

Before the Karnataka Electricity Regulatory Commission, Bangalore

Dated this the 20th day of May, 2004

Present

- | | | |
|----------------------------------|----------|-----------------|
| 1. Sri. Philipose Matthai | - | Chairman |
| 2. Sri. H.S. Subramanya | - | Member |
| 3. Sri. S.D.Ukkali | - | Member |

CaseNo.OP- 02/2004

Between

Kudremukh Iron ore Company Ltd.,
II Block,
Koramangala,
Bangalore -560 034
through its General Manager (Tech. Srives)
Shri H.Guruprasad

Petitioner

and

1. Mangalore Electric Supply Company (MESCOM),
Mangalore, through its Managing Director.
2. Superintending Engineer (Elec), (C&RP),
Mescom,
Maroli, P.B.No. 920,
Kulashekara,
Mangalore - 575 005

Respondents

(By Sri S.S.Nagananda & Sri S.Sriranga Advocates)

1. The Petitioner is a registered consumer of Respondent-1 and for the purpose of tariff classified as HT 2(a) consumer. The Commission approved the Special Incentive Scheme in the Tariff Amendment Order 2003 for the benefit of the HT industrial consumers at a rate of Rs.3.80 per unit. The petitioner is eligible under this scheme and he has utilized bulk energy under this scheme. This scheme defines the base consumption as an average of monthly-billed energy supplied by ESCOM to the consumer from 1.12.02 to 30.11.03. However the

Respondents have calculated the base consumption as an average of quarterly consumption for the period from September 2003 to November 2003, for the period when the consumption was the highest for any quarter from December 2002 to November 2003. The petitioner has contested this calculation of base period in this petition.

2. We have heard the Petitioner and the Counsel for the Respondents. The Counsel for the Respondents stated that they have filed an application before the Commission on 8.3.2004 seeking a review of terms and conditions of Special Incentive Scheme approved by the Commission, since the present base period calculation results into financial loss to the Company. However he agreed that the order of the Commission has prescribed a definite method of calculating the base period and that they are bound by the Commission's order. The Counsel for Respondents has filed a memo on 1.4.04 stating that the Respondents have re-computed the base consumption of the petitioner as per the Tariff Amendment Order 2003 dated 15.12.2003 and this is done without prejudice to the contentions put forth by the Respondents in their application seeking modification of this scheme. However the Respondents through their letter addressed to the Commission dated 8.4.04 have withdrawn their application for review of terms and conditions of this scheme.

3. Since the Respondents have filed a Memo agreeing to the calculations of the base period approved by the Commission, there exists no dispute between the Petitioner and the Respondents. Therefore we dispose the petition before us in terms of the memo filed by the Respondents.

4. The petition is **disposed**. Ordered accordingly.

(Philipose Matthai)

(H.S.Subramanya)

(S.D.Ukkali)

