

**PROCEEDINGS OF THE KARNATAKA ELECTRICITY REGULATORY
COMMISSION, BENGALURU**

Dated 19 September 2019

Present:

Sri H.M. Manjunatha	- Member
Sri M.D. Ravi	- Member

OP No. 54/2019

BETWEEN:

Perla Hydro Power Pvt. Ltd.,
#701-702, Prestige Meridian-2
No. 30, MG Road
Bengaluru – 560 001

...Petitioner

AND:

1.The Managing Director
Karnataka Power Transmission Corporation Ltd.,
Kaveri Bhavan, KG Road, Bengaluru – 560 009

2.The Managing Director
Mangalore Electricity Supply Company Ltd.,
MESCOM Bhavan, Kavoor Cross Road, Bejai,
Mangaluru – 575 004

3.The Managing Director
Bangalore Electricity Supply Company Limited
Corporate Office, K R Circle,
Bengaluru – 560 001

Respondents

Case called. Counsel for the parties present and addressed the arguments. The learned counsel for the Respondent (MESCOM) opposed, orally, for granting an Interim Order, for the reasons that, since the issue regarding the captive status of the Plant is pending before the Hon'ble High Court of Karnataka, and in that regard, there is already an Interim Order passed by the Hon'ble High Court, not to take any precipitative action in the matter, by the Respondents. However, on perusal of the material placed before this Commission, it is noticed that, the Respondents have already acted, based on the instructions of this Commission, a copy of which is produced as ANNEXURE-A in the Writ Petition filed before the Hon'ble High Court.

In view of the subsequent developments, the Respondents have issued the Bill and Official Memorandum (OM) as 'non-captive consumer'. In the course of the arguments, the learned counsel for the Respondent (MESCOM) made a submission that, on 29.08.2019, the Petitioner had given an undertaking for issuance of a 'non-captive consumer' OM for the month of July, 2019.

Therefore, considering the facts and circumstances, the learned counsel for the Petitioner also made a submission that, the Petitioner would undertake to file an Affidavit, in detail, requesting the Respondents for issuance of an OM, treating the OA consumers as 'captive consumers', for the months of July, August, September and October, 2019, subject to the final decision of this Commission in the pending matter. Accordingly, the Interim Order is granted.

Call on 22.10.2019, for filing the Statement of Objections to the main Petition.

Sd/-
(H.M. MANJUNATHA)
Member

Sd/-
(M.D. RAVI)
Member