

**No.N/15/12**

**BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION,  
BANGALORE**

**Dated : 13<sup>th</sup> December, 2012**

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|-------------------------------|----------|
| 1. Sri M.R. Sreenivasa Murthy | Chairman |
| 2. Sri Vishvanath Hiremath    | Member   |
| 3. Sri K. Srinivasa Rao       | Member   |

**OP No.8/2012**

**BETWEEN :**

M/s. Ferromar Shipping Pvt.Ltd.  
Old Station Road  
Margoa  
GOA – 403 601  
*[Represented by Shri R.G. Hegde, Advocate]*

..

**Petitioner**

**AND**

Bangalore Electricity Supply Company Limited  
K.R. Circle  
BANGALORE-560 001  
*[Represented by Shri V.Y. Kumar, Advocate]*

..

**Respondent**

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1) In the above Petition, the Petitioner has prayed for a direction to the Respondent to pay the Petitioner a sum of Rs.54,24,230/-, with interest at 12% per annum from 31.7.2009 till the actual date of payment, for the electricity supplied by it to the Respondent between 29.4.2009 to 31.7.2009.

2) Upon Notice, the Respondent has entered appearance through its Counsel and filed its Statement of Objections on 23.8.2012.

3) During the course of the hearing, both parties have submitted that this case is similar to the case in OP No.7/2012 filed by M/s. Gangadhar Narasingadas Agrawal against BESCO, and the decision that would be rendered in the said case will squarely apply to this case also.

4) We have considered the averments made in the Petition and also the Statement of Objections. We have also considered the documents placed on record by the parties in support of their case and the oral submissions made by the Counsel for the parties made in OP No.7/2012.

5) In our view, as submitted by the parties, the facts of this case are similar to the one involved in OP No.7/2012. Accordingly, this Petition is allowed in terms of the Order passed in OP No.7/2012, duly following the reasoning cited therein.

6) Accordingly, in the context of the present case, the Respondent shall pay the Petitioner for the electricity generated and supplied by the Petitioner to the Respondent prior to the date of signing of the PPA, i.e., from 29.4.2009 to 25.7.2009, at the generic Tariff determined by this Commission, viz., Rs.3.40 per Unit, within 4 (four) weeks from the date of communication of this Order, without interest.

7) Accordingly, the Petition is allowed in part, in the above terms.

Sd/-  
(M.R. SREENIVASA MURTHY)  
CHAIRMAN

Sd/-  
(VISHVANATH HIREMATH)  
MEMBER

Sd/-  
(K.SRINIVASA RAO)  
MEMBER