

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

Dated :18th September, 2013

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

RP No.8/2012

BETWEEN :

M/s. Srinivasa Gayathri Resource
Recovery Limited
303, "Shreshta Bhumi" Complex
No.87, K.R. Road
Next to Gayana Samaj
BANGALORE – 560 004
[Represented by Shri Prabhuling, K. Navadgi, Advocate]

.. **PETITIONER**

AND

- 1) Bangalore Electricity Supply Company Limited
K.R. Circle
BANGALORE – 560 001
- 2) Government of Karnataka
Department of Urban Development
Karnataka Government Secretariat
Vidhana Soudha
BANGALORE – 560 001
- 3) Karnataka Power Transmission Corporation Limited
Cauvery Bhavan
BANGALORE – 560 009
[R1 & R3 represented by M/s. Justlaw, Advocates]

.. **RESPONDENTS**

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- 1) This Review Petition is filed for modification of the Commission's Order dated 28.2.2012, wherein the tariff for the electricity to be produced by the Review Petitioner was determined at Rs.4.15 per Unit.
- 2) On Notice, the Respondents have appeared through their Counsel, M/s.Justlaw and filed their Statement of Objections on 18.10.2012.
- 3) The Review Petitioner has sought for review of the Plant Load Factor (PLF), RDF cost, revenue from Compost production, ROE and the life of the RDF Plant, and to re-fix the levelized tariff of Rs.8.03 per Unit, as detailed in Annexure-3 of its letter dated 28.3.2012 (ANNEXURE-H). Further, the Review Petitioner has filed an Application for condonation of delay in filing the Review Petition.
- 4) We have heard the counsel appearing for the Review Petitioner and also the Respondents.
- 5) We have looked into the grounds urged by the Review Petitioner in support of the review of the Order, in the light of the Order passed by the Commission. In our view, the Order passed by this Commission has taken into account the points now urged before passing the Order. The Commission, while determining the Capital Cost, has, in fact, taken into account the cost and additional cost of RDF Plant as submitted by the Petitioner. This is clear from paragraph-10(v) of the Commission's Order dated 28.2.2012. The Commission has also considered the life of the Plant, as submitted by the Petitioner, at paragraph-10(i) of its Order, duly taking note of the submissions made by the Petitioner and other relevant factors. Similarly, the Commission has arrived at the

Plant Load Factor (PLF) at 73.43% annually and the income from sale of Compost on the material produced by the Petitioner. As regards ROE, the Commission has considered the submissions made by the Petitioner for 19%, but has allowed 16% for the reasons stated in its Order. Thus, the Petitioner has not made out any case that the Commission had failed to consider any relevant material while passing its Order of 28.2.2012.

6) Consequently, we hold that there is no merit in the Review Petition and the Review Petition is liable to be rejected and accordingly stands dismissed.

7) However, the rejection of this Review Petition shall not bar the Review Petitioner from filing a fresh Application under Section 62 read with Section 64 of the Electricity Act, 2003, in accordance with law, seeking amendment of the Tariff Order, if it is so advised.

Sd/-

(M.R. SREENIVASA MURTHY)
CHAIRMAN

Sd/-

(VISHVANATH HIREMATH)
MEMBER

Sd/-

(K.SRINIVASA RAO)
MEMBER