

No. N/217/2018

BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION,
No.16, C-1, Millers Tank Bed Area, Vasanth Nagar, Bengaluru-560 052.

Dated: 30.12.2021

Present

Shri Shambhu Dayal Meena	: Chairman
Shri H.M. Manjunatha	: Member
Shri M.D. Ravi	: Member

OP No.84/2018

BETWEEN:

Shree Renuka Sugars Limited,
(A Company Registered under
The Companies Act, 1956) having
its Registered Office situated at
B.C. No.105, Havelock Road,
Camp: Belgavi-590 001
Having its Administrative Office at
No.7 (Old No.24),
"Sunanjaya", I & II Floor,
1st Cross Kumara Cot Road,
Behind Hotel Janardhana,
Bengaluru-560 001.
(Represented by Sri Vinayak Puranik)

.....PETITIONER.

(Represented by Sri Manmohan P.N. Associates
and Sri Datta Prasad. G., Advocate)

AND:

Karnataka Power Transmission
Company Limited (KPTCL),
A Government Company incorporated
Under the provisions of the Companies Act, 1956
having its Registered Office at
Kaveri Bhavan,
Bengaluru-560 009.
[Represented by its Director (Regulatory Affairs)]

.....RESPONDENT

(Represented by Sri S. Sriranga, Advocate,
for M/s Just Law Advocates)

ORDERS

1. The petitioner has filed the petition under Section 86 (1) (f) of the Electricity Act, 2003, praying for the following reliefs to:

- a) Set aside the demand notices dated 26.05.2015 bearing No.938/B/KaaniEM (v)/ Pra. Ma & Uke. Division/Le/ Hissa/Ka/ 637-54 issued by the respondent (Produced as Annexure-E); and
- b) Set aside the demand notices dated 30.05.2016 bearing No. 938/B/KaaniEM(v)/Pra.Ma&Uke.Division/Le/Hissa/Ka/702-18 issued by the respondent (Produced as Annexure-G); and
- c) Set aside the demand notices dated 29.12.2016 bearing No. 938/B/KaaniEM(v)/Pra.Ma&Uke.Division/Le/Hissa/Ka/3872-87 issued by the respondent (Produced as Annexure-J); and
- d) Set aside the demand notices dated 19.12.2017/22.05.2017 bearing No.938/ B/ KaaniEM (v)/ Pra.Ma&Uke.Division/Le/ Hissa/Ka/515-18 issued by the respondent (Produced as Annexure-L); and
- e) Set aside the demand notices dated 09.01.2017 bearing No.938/Chi/Pra.Ma&Uke/Ka.ni.lm(v)/Sa.A(tha)/2017-18/Ka-116/3606 issued by the respondent (Produced as Annexure-N); and
- f) Set aside the demand notices dated 08.03.2018 bearing No.938/Chi/Pra.Ma&Uke/Ka.ni.lm(v)/Sa.A(tha)/2016-17/Ka-118/4494 issued by the respondent (Produced as Annexure-Q); and
- g) Declare that the petitioner is not liable to pay O&M Charges to the respondent; and

- h) Direct the respondent to refund the amount of RS.6,73,670 paid by petitioner under protest along with interest @ 12% p.a.; and
 - i) Pass such other orders as deemed fit in the facts and circumstances of the case in the interest of justice and equity.
2. The question involved in this petition relates to the liability of the petitioner running a Bagasse-based Cogen Plant, to pay the Operation and Maintenance (O&M) Charges towards the O&M Services carried by the KPTCL, in respect of petitioner's dedicated transmission line and the terminal bay in the KPTCL Sub-station.
3. In the matter of collection of O&M Charges by the KPTCL from HT/EHT consumers and generators, this Commission has passed three different orders. Before dealing with the rival contentions of the parties it is desired to note the gist of the three different orders passed on this subject on collection of O&M Charges
- a) The 1st Order was passed on 26.02.2015 (Annexure-D) in OP No.13/2014. The said petition was filed by the KPTCL for the following reliefs:
- “1) xxxxxxxxxxxxxx
- (i) To allow the petitioner to recover the O&M expenses incurred in maintaining the HT/EHT lines and terminal bays at the petitioner's premises from the HT/EHT consumers and IPPs as proposed; and*

(ii) To pass such other orders as deemed fit in the circumstances of the case, in the interest of justice and equity."

The point for considerations raised in OP No.13/2014 were as follows:

"(a) Whether the petition is maintainable?

(b) Whether the petition is entitled to claim the O & M charges directly from the HT/EHT consumers?

(c) Whether the IPPs are liable to pay the O & M charges as claimed by the petitioner?"

This Commission held the public hearings in OP No.13/2014, considered the objections of the stakeholders and ultimately passed the following Order on 26.02.2015:

ORDER

- 1. The petition is dismissed in so far as it relates to collection of O&M Charges from the HT/EHT consumers. The petitioner is directed to withdraw the notices issued to HT/EHT consumers and refund the amount so collected from HT/EHT consumers.*
- 2. The petitioner is entitled to collect O&M charges from the IPPs, if the petitioner maintains the dedicated transmission line, subject to such charges being mutually agreed between the parties and in default, being adjudicated by the Commission."*

The KPTCL had based its claim for O&M charges pursuant to an Order/Circular issued by it dated 17.08.2012. In the Order dated 26.02.2015, the validity of that Order/Circular dated 17.08.2012 was not

accepted. The rejection of claim of the KPTCL for collection of O&M charges from HT/EHT consumers is not challenged and it has become final. The KPTCL was permitted to collect O&M charges from the IPPs as directed in the said Order dated 26.02.2015.

- b) The 2nd Order was passed on 24.04.2018 in OP No.81/2016 and other connected cases filed by generators challenging the levy of certain demands towards O&M charges for dedicated transmission lines and terminal line bays. The KPTCL had in support of its claim relied upon the Circular dated 25.03.2017 issued by it. Under this Circular, the O&M charges for dedicated transmission lines and the terminal line bays were allowed to be collected at certain rates.

After considering the rival contentions, in OP No.81/2016 and other connected cases, the Commission passed the following Order:

ORDER

- (1) (a) As an interim measure, the Respondent (KPTCL) is permitted to raise the bills towards the arrears of the O&M charges, incurred by it, till now, for maintaining the terminal line bays located in the Sub-stations of the Respondent (KPTCL) and to make a demand from the IPPs concerned, as per the Circular dated 17.08.2012, till the Commission takes a view on the question of the methodology to be adopted for arriving at the O&M charges payable by the IPPs in the due proceedings;*

(b) The rights and liabilities of the parties, pertaining to the payments/receipts of the maintenance charges, shall be subject to the final outcome of the determination of the O&M charges;

(2) The claims now raised by the Respondent (KPTCL), as per its amended Circular dated 25.03.2017, are hereby set aside; and

(3) The parties shall suggest their proposals and guidelines, within 10 (ten) weeks from the date of this Order for ascertaining the maintenance charges to be incurred by the Respondent (KPTCL) for maintaining the terminal line bays in its Sub-stations, for issuing a Discussion Paper in this regard."

c) The 3rd & final Order regarding collection of O&M charges was passed on 14.12.2018, in continuation of the 1st & 2nd Orders stated above. Earlier to passing of the 3rd & final Order, the Commission had issued 'Discussion Paper' dated 07.08.2018 in the matter of collection of Operation & Maintenance Charges by the Karnataka Power Transmission Corporation Limited (KPTCL), from the Generators for the Operation & Maintenance carried by the KPTCL, in respect of the dedicated transmission lines and the line terminal bays in the KPTCL Sub-stations. Particularly, the suggestions, comments and views of all the stakeholders were sought on the following points:

“(i) Whether the IPP is required to maintain dedicated transmission line/bays constructed subsequent to the Electricity Act, 2003?”

- (ii) Whether the KPTCL is required to maintain dedicated transmission line/bays, constructed prior to the Electricity Act 2003?
- (iii) Whether the KPTCL can furnish the actual expenses incurred/to be incurred, for maintaining the dedicated transmission line/boys, in its sub-stations?
- (iv) If not, what should be the methodology for estimating the expenses incurred/to be incurred, for maintaining the said line/bays."

In response to the 'Discussion Paper' written suggestions, comments and views were received from stakeholders and thereafter, a public hearing was fixed on 31.10.2018 at 3.00 p.m. Considerable number of stakeholders participated in the Public Hearing.

Considering the written and oral submissions of different stakeholders including KPTCL, this Commission passed the Order dated 14.12.2018, the operative portion of which reads as follows:

“O R D E R

Para 10 (a) The KPTCL alone has to operate and maintain the line terminal bay of dedicated transmission line of the generators, located at the KPTCL Sub-station. The operation & maintenance charges, payable by the generators for the line terminal bay, shall be at 1.5% of the capital cost of the line terminal bay with an annual escalation of 5.72% on the O&M charges, for the base year, besides the generators meeting the cost of

equipment or spares required for replacement of failed or defective equipment.

(b) The KPTCL shall have the right to recover the O&M charges for line terminal bay at the rate as determined by the Commission in this Order from 17.08.2012, i.e., the date of the KPTCL's Circular, claiming O&M charges for line terminal bay. In case, any arrears of O&M charges towards line terminal bay is not paid within the stipulated time in the demand notice raised by the KPTCL, an application may be filled under Section 142 of the Electricity Act, 2003 against the defaulting generator.

(c) At the time of establishing the line terminal bay, the parties shall enter into an agreement disclosing the capital cost of the line terminal bay and other relevant terms, regarding payment of O&M charges, the demand to be raised, etc. Interest at the rate of 6.25% per annum shall be payable for any delayed payments.

(d) There is no obligation on the KPTCL to maintain the dedicated transmission line of the generators and it can undertake such maintenance only if there is a consensus between the parties on payment of maintenance charges. In case, the KPTCL has already carried out maintenance of the dedicated transmission lines of the generators and could not recover the maintenance charges, it has to take appropriate legal recourse for the recovery of the same. It cannot adopt any coercive action not

permitted under law, against the generator for recovery of arrears of such maintenance charges.

(e) The generators who have challenged the O&M charges, claimed by the KPTCL in Original Proceedings, before this Commission and whose cases are pending, are at liberty to pursue their cases. If they are not agreeable with this Order."

- d) The 1st & 3rd Order relating to collection of O&M Charges by the KPTCL from the generators, are passed after hearing all the stakeholders and giving an opportunity to make oral and written submissions. Therefore, these orders are generic in nature applicable to all generators connecting evacuation line (dedicated transmission line) to any of the Sub-station of KPTCL. The construction of the evacuation line (dedicated transmission line) from the project site to the Sub-station mainly consists of two parts. The first one stretching from Project Site to Sub-station boundary and the second one stretching inside the Premises of Sub-station i.e., construction relating to Terminal Line Bay. The 3rd Order in the matter of collection of O&M Charges noted above specifically deals with the rights and liabilities of the generators and the KPTCL, in respect of the dedicated transmission line from the Project Site to the border of the KPTCL Premises and of the portion of Bay within the limits of the Sub-station of KPTCL.
4. The facts relevant for the disposal of the present case as made out in the petition, may be stated as follows:

- a) That petitioner is a public limited company registered under the Companies Act, 1956 having its registered office at Belgaum. The petitioner has been running a Sugar Factory at Kokatnur, Buralatti village, Athani taluk, Belgaum district, having crushing capacity of 10,000 MTs per day. It has also established a Bagasse-based Cogen Power Plant within the premises of the factory. The power generated from the said plant is mainly used by the petitioner for its own production and purpose and the excess power if any, is sold to the distribution licensee/third parties as the case may be. The said Cogen plant has installed capacity of 68 MWs.
- b) While establishing the Cogen plant, the petitioner constructed 110 kV S/C evacuation line (dedicated transmission line) from its proposed Cogen plant to Athani Sub-station. In this respect the petitioner issued Work Order dated 20.10.2006 (Annexure-A) to the transmission line contractor and thereafter obtained Electrical Inspectorate approval of drawings dated 24.03.2007 (Annexure-B) and Electrical Inspectorate approval for commissioning dated 12.04.2007 (Annexure-C) of the Evacuation Line.
- c) The petitioner has produced copy of the Order dated 26.02.2015 passed in OP No.13/2014, in the matter of collection of O&M Expenses from IPPs and HT/EHT consumers (Annexure-D – referred above as 1st Order). The petitioner has filed the present petition on 10.09.2018 before three months of passing of the 3rd Order dated 14.12.2018, in the matter of collection of O&M charges by the KPTCL from the generators, referred above.

- d) The respondent (KPTCL) issued communication dated 26.05.2015 (Annexure-E) demanding the petitioner to pay O&M charges and other charges towards evacuation lines terminating at 110 kV MUSS, Athani. The petitioner denied its liability to pay the O&M charges as demanded by the respondent (KPTCL). The demand towards O&M charges by the respondent (KPTCL) and the denial of the said liability to pay the O&M charges by the petitioner went on till filing of the present petition.
- e) The petitioner has urged the following facts/grounds in the petition to deny its liability to pay the O&M charges.
- (i) That the respondent (KPTCL) has failed to consider the directions issued in OP No.13/2014 and the demand notices are against the final Order passed in OP No.13/2014.
 - (ii) That the directions/order passed in OP No.13/2014 are applicable only to IPPs, but not to Cogen plants/Captive plants as that of the petitioner.
 - (iii) That the claim made in the communications/demand notices issued by the respondent (KPTCL) is barred by time.
 - (iv) That the generation of power by the Cogen plant of the petitioner is not continuous throughout the year, but takes place only during sugarcane crushing season.
 - (v) That the respondent (KPTCL) has no authority to claim O&M charges, as there is no provision of law nor there is such a contract between the parties to claim such O&M charges.
 - (vi) That the Cogen plant is more environmental friendly thereby O&M charges cannot be imposed.

5. The respondent (KPTCL) has filed the statement of objections before the Commission on 08.07.2019 i.e., after six months from the date of the 3rd Order dated 14.12.2018 regarding O&M charges, referred above. The respondent (KPTCL) has set up the following grounds in its defence.

- a) That the respondent (KPTCL) is operating & maintaining the terminal bay and the lines of the petitioner, thereby the petitioner is liable to pay the O&M charges as directed in the 3rd Order dated 14.12.2018.
- b) The contention of the petitioner that the liability to pay O&M charges as held in different Orders relating to it passed by this Commission, would not apply to the Cogen plants/Captive plants, is denied as untenable and incorrect.
- c) The contention of the petitioner that the claim made in different demand notices for O&M charges is barred by time is denied as untenable and incorrect. It is contended that this Commission in the 3rd Order dated 14.12.2018 regarding O&M charges has specifically given a finding that such charges could be recovered from 17.08.2012 i.e., the date of KPTCL Circular. It is also contended that the respondent (KPTCL) has every right to recover the O&M charges at the rate as determined by this Commission as per the 3rd Order dated 14.12.2018 regarding O&M charges.
- d) All other averments made by the petitioner not specifically traversed in the statement of objections and contrary to the said statement of objections are denied.

6. The petitioner filed rejoinder to the statement of objections, the gist of which may be stated as follows:

a) The meaning of an "independent power Producer" (IPP) as per Section 2 of the Karnataka Electricity Grid Code, 2005 is as follows. "

"A person or agency involved in the exclusive business or power generation excluding Central Generating Stations and State owed Generating Companies."

The petitioner herein is not involved in the exclusive business of power generation and as such the petitioner can by no stretch of imagination be called an independent power producer. That a Cogen plant that of the petitioner, by its very definition cannot be an independent power producer. While a Cogen plant is involved in generation of two or more forms of energy including electricity, an IPP is involved exclusively in the business of power generation. The petitioner submits that in the instant case it is not in dispute that the petitioner is a cogeneration plant and as such the petitioner is not liable to pay O&M charges to the respondent (KPTCL).

b) The 3rd Order dated 14.12.2018 passed by this Commission has no application to the instant case in as much as the said Order applies only to IPPs. The said Order merely determines the right of the respondent (KPTCL) herein to charge O&M charges, but does not hold the petitioner herein liable to pay O&M charges. The 3rd Order dated 14.12.2018 reserves liberty to generators to pursue their cases, if they are not

agreeable with the said Order and as such, the said Order neither has any application to the instant case nor does it come in the way of filing the instant petition.

- c) That the respondent (KPTCL) is permitted to recover O&M charges from the ESCOMs in accordance with the Tariff Orders issued/passed by this Commission, thereby the respondent (KPTCL) has no right to claim the same charges from the petitioner.
- d) That the claim of the respondent (KPTCL) for O&M charges is in respect of capital assets which are essentially owned by the respondent (KPTCL), thereby the petitioner cannot be made liable to pay any O&M charges for the maintenance and upkeep of the assets which belongs to the respondent (KPTCL)
- e) Therefore, the petitioner prayed for the rejection of statement of objections filed by the respondent (KPTCL).

7. We have heard the learned counsel for the parties. The following issues arise for our consideration from the pleadings and submission of the parties:

Issue No.1: Whether the respondent (KPTCL) has no right to claim the O&M charges from the petitioner?

Issue No.2: Whether the 1st Order dated 26.02.2015 and the 3rd Order dated 14.12.2018 in the matter of collection of O&M charges by the KPTCL from generators/IPPs, are not applicable to the Cogen plant/Captive plant of the petitioner?

Issue No.3: Whether the impugned demand notices produced at Annexures-E, G, J, L, N & Q are sustainable?

Issue No.4: Whether any part of the claim of the respondent (KPTCL) is barred by time?

Issue No.5: To which reliefs the petitioner is entitled to?

Issue No.6: What Order?

8. Issue No.1: Whether the respondent (KPTCL) has no right to claim the O&M charges from the petitioner?

a) In support of this Issue, the petitioner in its petition and rejoinder has stated as follows:

(i) That energy from Cogen plant is environmental friendly.

(ii) That the respondent (KPTCL) is permitted to recover O&M charges from the ESCOMs in accordance with the Tariff Orders passed by this Commission, thereby the respondent (KPTCL) has no right to claim the same charges from the petitioner.

(iii) That the claim of the respondent (KPTCL) for O&M charges is in respect of capital assets which are essentially owned by the respondent (KPTCL), thereby the petitioner cannot be made liable to pay any O&M charges for the maintenance and upkeep of the assets which belongs to the respondent (KPTCL).

b) These grounds are already considered in the 3rd Order dated 14.12.2018 at para 6 & 7. It is not necessary to reproduce the said paras 6 & 7. It is stated in the said paras that there is no relationship between the plants being environmental friendly or otherwise so far as the liability to pay the O&M charges is concerned. Further, it is noted in the said Order that the KPTCL was not considering the dedicated transmission lines along with the

terminal bay as its assets for claiming depreciation etc., while filing the tariff application.

- c) We are of the considered opinion that the above reasons are sufficient to hold Issue No.1 in negative.

9. Issue No.2: Whether the 1st Order dated 26.02.2015 and the 3rd Order dated 14.12.2018 in the matter of collection of O&M charges by the KPTCL from generators/IPPs, are not applicable to the Cogen plant/Captive plant of the petitioner?

- a) The 1st Order makes it clear that the respondent (KPTCDL) is entitled to collect O&M charges from the Independent Power Producers (IPPs) provided it maintains the dedicated transmission lines and terminal bay subject to charges being mutually agreed between the parties and in default being adjudicated by this Commission. The 2nd and 3rd Orders are passed in continuation of the 1st Order. The 3rd Order finally decides the rights and liabilities of the respondent (KPTCL) and the generators regarding the O&M charges for the maintenance of dedicated transmission lines and the terminal bay at Sub-station of the KPTCL. The 3rd Order further provided that the generators who had challenged the O&M charges claimed by the KPTCL in original proceedings before this Commission and whose cases pending, were at liberty to pursue their cases, if they were not agreeable with that Order. Such opportunity was given to the generators to make out a case if possible that they were not covered under the terms of the 3rd Order.

b) The petitioner had contended that it is running a Cogen plant/Captive plant, but it is not an IPP, therefore, the 1st Order or the 3rd Order are not applicable. It is contended that these Orders are applicable only to IPPs but not to Cogen plants/Captive plants. The petitioner has specifically relied upon the term 'IPP' stated in the 1st Order. The petitioner has relied upon the definition of 'Independent Power Producer (IPP)' stated in the KERC Grid Code, 2005, which defines IPP as follows:

“a person or agency involved in the exclusive business of power generation excluding Central Generating Stations and State Owned Generating Companies.”

We may also note the definition of 'Independent Power Producer (IPP)' as noted in the KERC Grid Code, 2015 which reads as follows:

“Independent Power Producer (IPP)” means a Generating Company not owned/controlled by the Central/State Government.

c) The said contention of the petitioner is not tenable. The term 'IPP' is derived subsequent to participation of private sector in establishing the Generating Company. Prior to The Electricity Laws (Amendment) Act, 1991 (Act NO.50/1991), the private sector was excluded from establishing the 'Generating Company' and only the Companies formed by the Central Government or by any State Government or jointly by the Central Government and one or more State Governments could have established the Generating Company. The above said Amendment Act, 1991, provided for establishing of Generating Companies by

participation of private sector. Subsequent to the Amendment Act, 1991, in our State also, the private sector participation in establishing all kinds of Generating Companies such as Cogen, Mini-hydel, and thereafter the wind plants and solar plants including captive power plants have taken place. The word 'Independent Power Producer (IPP)' is used to denote that the power plant has been established by the private sector to distinguish it from the Generating Companies established by Central Government or State Government Undertakings. The same meaning is noted while defining the IPP in the Grid Code. The contention of the petitioner that Cogen plant/Captive plant does not fall under the definition of IPP is not proper and not acceptable. IPP signifies the Generating Units established by private participation. It include Cogen, Captive plant or any other renewable power plants as well as fossil fuel plants established by private sector. The 1st Order refers the 'IPP' in this sense. The 3rd Order specifically mentions all kind of Generating Units. It may be noted that the generators of all kind had participated in the public hearing while passing the 1st and the 3rd Order including Cogen as well as Captive plant owners.

d) For the above reasons, we hold Issue No.2 in negative.

10. Issue No.3: Whether the impugned demand notices produced at Annexures-E, G, J, L, N & Q are sustainable?

a) The impugned demand notices issued to the petitioner at Annexures-E, G, J, L, N & Q, are dated in between 26.05.2015 to 08.03.2018 i.e., prior to the date of passing the 3rd Order. It may be noted that the 3rd Order

finally decides the rights and liabilities of the KPTCL and the Generators in respect of O&M charges towards maintenance of dedicated transmission lines and the terminal bay.

- b) We have perused the impugned demand notices stated above. These notices referred the Circular dated 17.08.2012 issued by the KPTCL and also some objections raised by the Auditors in certain communications. The Circular dated 17.08.2012 is not upheld in the 1st Order. The 3rd Order makes it clear that the liability of the generators to pay the O&M charges towards maintenance of terminal bay can be enforced by the respondent (KPTCL) against the generators at the rates prescribed therein. Specific procedure is provided in the said Order for recovery of the O&M charges for the maintenance of the dedicated transmission lines of generators/IPPs.
- c) The perusal of the impugned demand notices shows that the claims made in them are not in accordance with the directions in the 3rd Order for recovery of the O&M charges from the generators.
- d) For the above reasons, the impugned demand notices cannot be sustained. Accordingly, Issue No.3 is held in negative.

11. Issue No.4: Whether any part of the claim of the respondent (KPTCL) is barred by time?

- a) The bar of limitation raised by the petition is not accepted in the 3rd Order and it is held that the KPTCL is entitled to recover the O&M charges from 17.08.2012, i.e., the date of its Circular, claiming O&M charges from the generators. The claim made by the respondent (KPTCL) on the basis of

its Circular dated 17.08.2012 was in challenge in the 1st Order and subsequently, the said claim was under consideration in the 2nd as well as the 3rd Order. The claim is finally settled on 14.12.2018, the date on which the 3rd Order was passed. The respondent (KPTCL) could issue demand notices for O&M charges pursuant to the 3rd Order subsequent to 14.12.2018.

b) For the above reasons, we hold Issue No.4 in negative.

12. Issue No.5: To which reliefs the petitioner is entitled to?

a) From the records, it appears that in compliance of the interim order passed by this Commission for stay of certain demand notices, the petitioner has paid certain amounts. The respondent (KPTCL) should take into consideration, the said amount or any other amounts received from the petitioner towards O&M charges while raising the fresh demands in compliance with the 3rd Order.

b) As already noted the impugned demand notices cannot be sustained and they are to be set aside. It is also found that the petitioner is liable to pay O&M charges in terms of the 3rd Order.

13. Issue No.6: What Order?

For the foregoing reasons, we pass the following:

ORDER

a) The petitioner is liable to pay O&M charges to the respondent (KPTCL) in terms of the 3rd Order dated 14.12.2018 in the matter of collection of operation & maintenance charges by the KPTCL from the generators.

- b) The impugned demand notices at Annexures-E, G, J, L, N & Q issued by the 1st respondent (KPTCL) to the petitioner are set aside.
- c) The respondent (KPTCL) is at liberty to issue fresh demands strictly in compliance with the terms of the 3rd Order dated 14.12.2018, taking into consideration the amount received if any, from the petitioner during the pendency of this petition or earlier to it towards O&M charges.

sd/-
(SHAMBHU DAYAL MEENA)
Chairman

sd/-
(H.M. MANJUNATHA)
Member

sd/-
(M.D. RAVI)
Member