

BEFORE THE HIMACHAL PRADESH REGULATORY COMMISSION
SHIMLA

Petition No. 117/07

In the matter of :-

M/S Ambuja Cements Ltd Darlaghat
Tehsil Arki Distt. Solan (H.P)Petitioner

V/S

HPSEB and others
.... Respondents

Regarding clarification for calculation of Peak
Load Violation charges and refund of excess
violation charges billed by the HPSEB

Present :-

For Petitioner	Mr. A.K. Mittal, G.M. (Elecl & Automation) Mr. Sunil Sood, Dy. Manager (Elecl)
for HPSEB	Sh. Satyan Vaidya, Advocate

ORDER

19.10.2007

M/S Ambuja Cements Limited, Darlaghat (hereinafter referred as “the petitioner”) manufacturing cement, got electricity connection from the HPSEB (hereinafter referred as “the respondent”) vide account No. GACL-1, which falls under the category of L.S (Large Supply), for sanctioned load of 46,940 MW with a contract demand of 32 MVA at 132 kV. Being a continuous process industry, the petitioner availed exemption for running its essential load during peak hours for 12.981MW (14.423 MVA). The respondent Board restricted the load of the petitioner during peak hours by imposing a power cut of 70% from December, 2006 to March, 2007 and consequently the petitioner was allowed only 30% of the sanctioned peak hours i.e. 3.894 MW (4.327 MVA). The tri vector meter, installed for recording the consumption of the petitioner, recorded violations during peak hours and the maximum demand recorded during peak hours on 08/12/2006 at 18.00 hrs. was 4.500 MVA and on 23/01/2007 at 18.00 hrs. was 5.000 MVA.

2. The respondent Board charged Rs. 1,21,074/- and Rs. 5,18,538/- respectively for the aforesaid peak load violations. Subsequently when, at the request of the petitioner, the respondent Board conveyed the calculations for charging PLV, the petitioner found those calculations to be not as per the Tariff Order, and also to be in excess to the tune of Rs. 3,80,736/-. Now through this

petition the petitioner has challenged the basis of calculation of peak load violations charges made by the respondent Board and has also prayed for an order to refund the excess violation charges billed by the respondent Board.

3. The petitioner has urged that the PLV calculations should be as per the clarifications, already given by this Commission in its order dated 3.8.2002 passed in the Petition No. 3/2002 of Parwanoo Industries Association V/s HPSEB. Though respondent Board was given time, it has not filed any reply.

4. Sh. Satyen Vaidya, Advocate, Learned Counsel for the respondent, has clearly stated in equivocal terms that his client i.e. the respondent Board concedes the stand of the petitioner and accepts the PLV charges calculations made by the petitioner on the basis of the Commission order dated 3rd August, 2002 passed in Complaint Case No. 3 of 2002 of Parwanoo Industries Association as correct.

5. Keeping in view the above statement made by the Learned Counsel on behalf of the respondent Board, the Commission disposes of this petition and directs the respondent Board to revise its PLV charges calculations and refund the excess amount to the petitioner firm, on the basis of the clarifications already given by this Commission in petition No. 3/2002- M/S Parwanoo Industries Association V/s HPSEB decided on 3.8.2002.

Announced in open Court.

The file be consigned to the record room.

(Yogesh Khanna)
Chairman