

KERALA STATE ELECTRICITY REGULATORY COMMISSION
Thiruvananthapuram

Present : Shri.M.K.G.Pillai, Chairman
Shri.C.Balakrishnan, Member

December 8, 2004

Petition No.DP19	Dy.No.445 Dt.12.8.2004	Tata Tea Ltd., Munnar	Petitioners
		The State of Kerala represented by the Secretary to Govt., Power Department	Respondents
		The Kerala State Electricity Board, Thiruvananthapuram	

ORDER

1. Background

The petitioners viz, Tata Tea Limited, Munnar, in their petition dated 9.8.04 have stated that they have been availing bulk supply from the Kerala State Electricity Board (KSEB) for their own factories and their own other establishments as well as for supplying to other HT/LT Consumers in the Munnar area and for feeding back to KSEB distribution system. The petitioners stated that they were authorized by the Kerala State Electricity Board to distribute electricity within the sanctioned area and stated that they might be treated as franchisee of the Kerala State Electricity Board and exempt them accordingly under Section 13 of the Electricity Act, 2003.

The Commission vide letter No.1/9/KERC/2004/383 dated 24th September, 2004 forwarded a copy of the petition to Principal Secretary to Govt. of Kerala, Power (A) Department and to the Chairman, KSEB for their views and recommendations in the matter.

KSEB, *vide* its letter No. KSEB/TRAC/TATA TEA/1341/R1/774 dated 30.11.2004 (copy enclosed) stated that the Board would not like to have a franchisee or a private agency for distribution of power in a local area. The Board therefore stated that the request of the petitioners to give them the status of franchisee might be declined.

Commission has not received any response from the Govt. of Kerala.

2. Commission's decision

As per definition in the Electricity Act, 2003, 'franchisee' means a person authorized by a distribution licensee to distribute electricity on its behalf in a particular area within his area of supply.

Since the KSEB has declined to engage Tata Tea Ltd, as franchisee to distribute electricity in the Munnar area on its behalf, the Commission is not in a position to process the petition further. *The Commission therefore seeks to reject the request of Tata Tea Ltd for treating them as franchisee for distribution of electricity in the Munnar area.*

The petition No. DP19 from Tata Tea Limited is disposed of accordingly.

Sd/-
C. BALAKRISHNAN
MEMBER

Sd/-
M.K.G. PILLAI
CHAIRMAN

Authenticated copy for issue


Ajitha.S
Secretary