

**KERALA STATE ELECTRICITY REGULATORY COMMISSION  
THIRUVANANTHAPURAM**

**O.P. No. 16 of 2014**

**In the matter of approval of PPA to be signed with K.S.E.B.Ltd. for a  
contract demand of 4500 kVA**

**Petitioner : M/s. Rubber Park India (P) Ltd., Valayanchirangara**

**Respondent : M/s. K.S.E.B.Ltd. , Tvpm**

**Present : Shri. T. M. Manoharan, Chairman  
Shri. Mathew George, Member**

**Order dated 31.10. 2014**

The Managing Director, M/s. Rubber Park India (Pvt.) Ltd., (M/s. RPIL) Valayanchirangara has filed a petition before the Commission seeking approval of the Power Purchase Agreement (PPA) to be entered into with K.S.E.B.Ltd., for additional power of 1500 kVA, totalling the contract demand to 4500 kVA, which K.S.E.B.Ltd. had granted in May 2010.

**Background:**

2. M/s. Rubber Park India (Pvt.) Ltd., has entered into a PPA with K.S.E.B.Ltd. on 23.08.2003 for a contract demand of 250 kVA at 110 kV for a period of 20 years from 05.07.2003. The contract demand was enhanced to 450 kVA w.e.f. 14.03.2005, to 2000kVA from 08.06.2006 and 3000 kVA from 31.03.2009. During May 2010, their request for additional power of 1500 kVA, totalling the demand to 4500 kVA was granted by K.S.E.B.Ltd., which was later withdrawn by K.S.E.B.Ltd. unilaterally, stating that they did not have surplus power to cater the requirements of other licensees at that time. Aggrieved with this action, M/s. RPIL has filed a petition before the Commission as

O.P.No. 36 of 2012. While disposing of the petition on 22.04.2013, the Commission, had issued the following directions, viz,

- (i) The Contract demand of M/s. RPIL shall deemed to have been raised to 4500 kVA from the date on which the draft agreement was received by K.S.E.B., i.e. 25.05.2010 and directed to enter into a new PPA by both the parties.
- (ii) The excess demand charges claimed shall be refunded as & when M/s. RPIL withdraws litigation against K.S.E.B. and clears all the legitimate amount due to K.S.E.B.
- (iii) M/s. RPIL shall relocate the metering system within 6 months.

3. It is submitted by the petitioner that they have withdrawn the W.P.(C) No. 13454 of 2011, filed before the Hon. High Court of Kerala. and cleared all the arrears due to K.S.E.B.Ltd. and initiated steps to modify the metering system. Based on the request of the petitioner, the Commission has extended the time limit for relocating the metering equipment upto December 2014. K.S.E.B.Ltd. has forwarded the draft PPA to the petitioner on 16.07.2014 for their comments. Now the petitioner has submitted the draft PPA, duly signed by both the parties for approval of the Commission. The petition has been filed as per Regulation 24 of KSERC (Conduct of Business) Regulations, 2003 and remitted a petition fee of Rs. 2 lakhs

### **Hearing**

4. Hearing on the petition was held in the court room of the Commission on 09.10.2014. Sri. B.Pradeep, Executive Engineer, TRAC presented the views of K.S.E.B.Ltd. and Sri. T.M.Anees represented the Petitioner, RPIL. Sri. T.M.Anees informed that the delay in completing the work of relocating the metering equipment as instructed by the Commission in the order in O.P. 36 of 2012 was consequent to the revision in the design in order to incorporate the provision for this additional load.

### **Analysis and Decision of the Commission:**

5. The prayer in the petition is for according approval of the PPA to be entered into with K.S.E.B.Ltd. The terms and conditions in the draft PPA are accepted and initialled by both the parties. The Commission in its Order on O.P. No. 36 of 2012 , inter alia, had directed that "*the Contract demand of M/s. RPIL shall deemed to have been raised to 4500 kVA from the date on which the draft agreement was received by K.S.E.B., i.e. 25.05.2010 and*

*directed to enter into the new PPA by both the parties.”* The Petition is filed in compliance with the above directions. It has been stated in the agreement that it shall come into effect from 25-05-2010 and shall remain valid for a period of 20 years from 17-06-2003, i.e. from the date of granting licence for distribution of electricity to them by the Government of Kerala.

**Orders of the Commission:**

1. The draft PPA submitted by the Petitioner, M/s. Rubber Park India (Pvt.) Ltd duly initialled by K.S.E.B.Ltd. is approved.
2. This agreement shall come into effect from 25-05-2010 and shall remain valid for a period of 20 years from 17-06-2003, i.e. from the date of granting licence for distribution of electricity to them by the Government of Kerala.
3. Petition is disposed of accordingly.

Sd/-  
**Mathew George**  
Member

Sd/-  
**T.M. Manoharan**  
Chairman

Approved for Issue

SECRETARY