

KARNATAKA ELECTRICITY REGULATORY COMMISSION BANGALORE

Notification No.Y/01/4 dated 7th September 2011.

(Notified in Karnataka Gazette dated: 20.10.2011)

Sixth Amendment to KERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2004.

Preamble:

Whereas, Section 46 of the Electricity Act, 2003 empowers the State Commission to authorize by way of regulations, a Distribution Licensee to charge from a person requiring a supply of electricity in pursuance of Section 43, any expenses reasonably incurred in providing any electrical line or plant used for the purpose of giving that supply, The Commission by virtue of the said powers, read with Section 181 of the Act has notified " KERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2004" in the Notification no.Y/01/4 dated 12-11-2004 and the same was published in Part-3 of Gazette of Karnataka dated 16-12-2004 (Page nos.2216 to 2222). Consequent to request by the prospective Consumers the Commission deemed it appropriate to bring in amendments to the existing KERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2004.Hence the Commission had proposed certain amendments to Clause 3.1.5 Note (4) and sent the draft to all the ESCOM's for their Comments/Suggestions on the proposed amendment. The draft amendment was, in addition, posted on the Commission's website www.kerc.org and the same was notified in the newspapers to enable the interested persons to access the same and file their objections / suggestions on the proposed amendment to the Secretary, Karnataka Electricity Regulatory Commission. The draft of the proposed amendments was also notified in the Karnataka Gazette in its edition dated 21-07-2011, calling upon interested persons to file their objections / suggestions to this office, within 30 days of the date of publication in the Gazette. The Commission in its meeting held on 30/08/2011 considered the objections / suggestions received. After considering the objections and suggestions received, the Commission has decided to issue the final notification. Hence the following:

AMENDMENT

In exercise of the powers conferred by section 181 read with section 46 and sub-section (2) of section 43 of the Electricity Act 2003 (Central Act 36 of 2003) and all powers enabling it in that behalf, the Karnataka Electricity Regulatory Commission hereby makes the following Regulations further to amend KERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2004.

I. Title and commencement:

- a) These Regulations may be called the KERC (Recovery of Expenditure for Supply of Electricity) (**Sixth Amendment**) Regulations, 2004.
- b) These Regulations shall come into force from the date of publication in the official Gazette of Karnataka.
- c) These Regulations shall extend to the whole of the state of Karnataka.

II. Amendments to the following Clauses of KERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2004:

The existing provisions as in column 3 of the Table below shall stand substituted by the provisions as in column 4:

Sl. no.	Clause No	Contents of Regulation (Existing)	Contents of Regulation (Amended)
1	2	3	4
1	3.1.5 Note (4) KERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2004.	In case the sanctioned plan indicates two or more buildings in the same premises or if the sanctioned plans are separate & in different names but the buildings are attached &/or share a common passage or staircase they shall be clubbed together to calculate built up area.	<p>In case the sanctioned plan indicates two or more buildings in the same premises or if the sanctioned plans are separate and in different names but the buildings are attached and/or share a common passage or staircase they shall be clubbed together to calculate built up area.</p> <p>In case of buildings having separate khata or site/land ownership in different names, and there is no entrance or common passage or way from one building to another inside the buildings and each building is having a separate entrance from the road side, such buildings need not be clubbed together to calculate built up area even though they share a common wall or common roof. They shall be treated separately for arranging power supply.</p>

By Order of the Commission,

T.A.Parthasarathy
Secretary,
Karnataka Electricity Regulatory Commission.