

**Case Nos. 140,141,142,143 of 2009 & 146,147,148 and 149 of 2010**

(For re-determination of tariff on cross-subsidy for different categories of consumers for FY 2010-11 and 2011-12)

**Order No-1**

**Date of Hearing: 24<sup>th</sup> & 25<sup>th</sup>, Nov., 2011**

**Order: 25.11.2011**

As per Order of the Hon'ble Supreme Court of India in Civil Appeal No.8093 of 2011 filed by M/s. Adhunik Metaliks Ltd., the Commission had issued Public Notice as well as individual notice on 15.11.2011 & 16.11.2011 respectively to the persons/organizations/consumer Councils/ Stakeholders/DISCOMs who had participated the tariff proceedings before the Commission for FY 2010-11 & 2011-12 and also those who were parties before the Hon'ble ATE, New Delhi in Appeal Nos. 102,103 & 112 of 2010 and in Appeal Nos. 57,67- 73 of 2011 fixing the date of hearing on 24.11.2011 and 25.11. 2011 on issue of cross-subsidy in tariff for different categories of consumers for the FY 2010-11 & 2011-12. The notice was issued to 307 individuals, out of them the following persons are present in the above proceeding namely:- Shri M.G.Ramchandran, Advocate, Shri Ashok Kumar Parija, Sr. Advocate, Shri R.M.Pattanaik, Advocate , Shri P.P.Mohanty, Advocate, Shri Dillip Kumar Das, Advocate are present on behalf of the HT & EHT Industries namely :- M/s Balasore Alloys Ltd., M/s Tata Steel Ltd. , M/s ferro Alloys Corporation Ltd., M/s OCL India Ltd., M/s Adhunik Metaliks Ltd., M/s Vishal Ferro Alloys Ltd., M/s Maruti Steel Mulding Pvt. Ltd., M/s Chunchun Ispat Pvt. Ltd, M/s Kishan Alloys Pvt Ltd., M/s Subh Ispat Ltd., M/s Satguru

Metals & Power Pvt. Ltd., M/s Banjrangabali Re-Rollers Pvt. Ltd., M/s Scan steel Ltd., M/s B P Roller Pvt. Ltd., M/s Bajaranga Steel & Alloys Ltd., M/s Deo Ispat Alloys Ltd., M/s Attiotude Alloys Pvt. Ltd., M/s 25st Century Ferro & Alloys Pvt. Ltd., M/s Top Tech Steels Pvt. Ltd., M/s Maa Laxmi steels Pvt. Ltd., M/s Maa Tarini Industries Ltd., M/s Kalinga Spong Iron Ltd., M/s Arun Steel Industrial Pvt. Ltd., M/s Shri Radha Krishana Ispat Pvt. Ltd., M/s Sri Jagannath Alloys Pvt. Ltd., M/s Rexon Strips Ltd., M/s Maa Girija Ispat Pvt. Ltd., M/s Shree Salasar Casting Pvt. Ltd., M/s Sardha Saburi Steel Pvt. Ltd., M/s Refulgent Ispat Pvt. Ltd., M/s Shri Radharaman Alloys Ltd., M/s Sardha Rerollers Pvt. Ltd., M/s D.D Iron & Steel Pvt. Ltd., M/s Shreeram Spong & Steels Pvt. Ltd., M/s Jagannath Spong Pvt. Ltd., M/s Omkar Steels Pvt. Ltd., M/s Shree Austabinayak Steels Pvt. Ltd., M/s Sourav Alloys & Steel Pvt. Ltd., M/s Bajrangabali Alloys Pvt. Ltd., M/s New Laxmi Steel & Power Pvt. Ltd., M/s Auro Ispat (I) Pvt. Ltd., M/s Jay Jagannath Casting Pvt. Ltd., M/s IPI STEEL Ltd., M/s Sree Metaliks Ltd., M/s Hind Metal & Industries Ltd. & M/s Satyam Casting Pvt. Ltd. ShriR.P.Mohapatra,Authorized

Representative of M/s Rohit Ferro-Tech Ltd., Shri A.B.Rao, AEEE, Railway Traction, East Coast Railway, Shri Shyam Sundar Pansari, President, Western Orissa Coal Storage, Shri Suryakanta Pati, Sr.M.(Elect.) M/s OCL India Ltd., Shri Ashok Agarwal, GM (Admn.) , M/s Ashoka Ispat Udyog, Shri Pradeep Kumar Nath, AGM (Elect.), NALCO, Shri S.S.Kalia, President (Comm.) M/s JCL Ltd., Shri B.K.Lenka, CCO & COO, CESU, Shri L.R. Padhi, DGM (Law) , CESU, Shri A.K.Bohra, CEO & CSO, WESCO, NESCO & SOUTHCO, Shri B.D.Ojha, AGM (Eco.), GRIDCO, Shri Prasant

Kumar Das, GM (Elect.), SLDC, Shri Dharmendra Nath Patra on behalf of OHPC, Shri Sukant Chandra Mohanty, Legal Consultant, DoE, GoO, Shri Abhisek Bharadwaj on behalf of Gram Vikash Mohuda, Berhampur, Shri G.Dandapani, Shri Rajat Kumar Baxi on behalf of Orissa Consumer Association, Bhubaneswar, Shri S. Suryanarayan, District Judge (Rtd.), Shri Ananda Kumar Mohapatra, Analyst Power Sector & Expert in Applied Economics, Shri A.K.Sahani, Shri A.P.R.Rao, East Coast & South Eastern Railway, Shri S.K.Singh, Sr. GM (P& PD), M/s Visa Steel Ltd., Shri Ch. K.K.Mishra, President & Shri Ananta Bihari Routray, Secretary, Orissa Electrical Consumer Association, Shri Ramesh Chandra Satpathy, Secretary, Institute of Indian Labour, Shri K.N.Jena, Advocate on behalf of Consumer's Association, Shri Nilambar Mishra, Orissa Consumers Association, Balasore Chapter, Balasore, Shri Manmath Behera, ICE Factory Owner Forum, Balasore, Shri K.P.Panigrahi, Authorize Representative of Registrar, NIT, Rourkela, Shri Antaryami Routray, President, All Orissa Coal Storage Association, Shri Bibhu Prasad Swain, Sr. Consultant, Power Tech. Consultancy, Shri M.V.Rao, M/s Feero Crome Ltd. & Shri A.Mohanty on behalf of M/s Gorge Distributors Pvt. Ltd. are present.

The written submissions filed by East Coast Railway, Orissa Consumer Association, Balasore Chapter, Confederation of Citizen's Association, Bhubaneswar, Federation of Consumer Organization, Odisha, Debyajyoti Upovokta, Kalyan Bhaban, Cuttack, M/s GRIDCO Ltd., Odisha Consumer Association, Cuttack are taken on record.

2. The above noted Cases are taken up for hearing on issue of re-determination Tariff on cross-subsidy categories of consumers for FY2010-11 and 2011-12 as per Order dated 30.09.2011 of the Hon'ble Supreme Court of India in Civil Appeal No.8093 of 2011 and the Order of the Hon'ble Appellate Tribunal for Electricity dated 30.05.2011 and 02.09.2011.
3. Heard the persons/organizations/stake holders/DISCOMs/consumer representatives at length.
4. Hearing concluded. Order reserved. Parties are directed to file their written submissions within two weeks.

Sd/-  
**Member (M)**

Sd/-  
**Member (B)**

Sd/-  
**Chairperson**