

KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM

Present: Shri. Preman Dinaraj, Chairman
Shri. K.Vikraman Nair, Member
Shri. S. Venugopal, Member

O.P. No.10/2018

In the matter of : Utilization of KSEBL Assets by a Joint Venture Company named as KFON project (Kerala Fibre Optic Network project) in contradiction with the provisions in the Electricity Act 2003 and its Subordinate Regulations.

Petitioner : 1. Premji Easaw Jacob
Mavelil, TC 13/2149(5), Prabha Lane,
Mulavana, Vanchiyoor Post,
Thiruvananthapuram, 695035

2. Jonas Derek
TC 32/846, Vettukadu
Thiruvananthapuram, 695021

Respondent: M/s. Kerala State Electricity Board Limited

Interim Order dated 04.10.2018

1. Sri. Premji Easaw Jacob and Sri. Jonas Derek, both the pensioners of KSEB Ltd (hereinafter referred to as the petitioners) filed a petition on 31.05.2018 before the Commission, with following prayers:

- (1) To freeze all the activities towards formation of the JV company with optical fibre network through KSEBL supports*
- (2) Not to permit KSEBL to do other business in conflict with Section 41 & 51 of Electricity Act 2003.*
- (3) Not to permit KSEBL to join in the proposed JV company as a partner.*
- (4) Not to permit KSEBL to hand over any of its assets to the JV company.*
- (5) Not to spare any of its employees earning salary from KSEBL to the works of the JV company unless they are properly deputed for the job through relevant procedures*
- (6) Do not permit dual ownership of the KSEBL assets with the JV company in KSEBL's EHT Substations & Transmission lines*

considering safety & security issues as it comes under protected area notification.

- (7) Do not permit any other agency to operate OPGW network without explicit concurrence from SRLDC & NLDC*
- (8) To permit continuation of conditional leasing of dark fibres by KSEBL which is presently ordered to be stopped for facilitating formation of JV company.*

2. The summary of the issues raised by the petitioners are given below:

- (1) Government of Kerala (GoK) proposed to constitute a company for the establishment and operation of optical fibre network for providing internet connectivity to the public and to the Government offices, utilizing the substation infrastructure, the transmission line and distribution network of KSEBL. A Joint Venture company (JV) named as Kerala Fibre Optic Network (KFON) is proposed to be constituted for implementing the project.
- (2) The petitioners contended that there will be serious safety and security threats, if KFON is permitted to use the transmission and distribution infrastructure of KSEBL. The fibre optic communication system of KSEBL is mostly optical ground wire (OPGW) and the maintenance of the OPGW can only be done by KSEBL due to safety and security reasons as specified by relevant Regulations. Moreover transmission and distribution system are continuously getting upgraded with respect to voltage level and current level which requires frequent dismantling and erection works through the same Right of Way (RoW). A dual ownership of assets over the same lead to conflict of interest between KSEBL and the communication company.
- (3) At present KSEBL has been getting revenues by renting out its distribution poles, OPGW network etc. The details are given below.
 - (i) Rs 65 Crores annually from cable TV operators for drawing their cables over distribution poles of KSEBL.
 - (ii) Rs 3 Crores by leasing out excess fibres as OPGW.
 - (iii) KSEBL also decided to draw 3600 km of OPGW under reliable communication project under PSDF schemes funded by Gol. Once this project is completed KSEBL will get additional income of Rs 21 Crores per annum.

Once the Joint Venture Company is formed, KSEBL will lose the above revenues.

- (4) The State Government vide the order G.O. (Ms) No.10/2017/ITD dated 18.05.2017 accorded administrative sanction of Rs. 1028.2 Crore for KFON's project. The Government also designated Kerala State Information Technology Infrastructure Limited (KSITIL) as the implementing agency for the project and also specified therein that the

KFON project will establish new optic fibre pathway created in parallel to KSEBL electric power network.

- (5) In the meeting conducted by Chief Secretary on 14.09.2017, it is recommended that KSEBL will be investing in KFON to the extent of the pole rentals, RoW charges, fibre hire charges and any other usage charges which are likely to be considered with respect to using the transmission and distribution infrastructure of KSEBL. In view of this, 50% share of the SPV will be issued to the KSEBL. It is also decided that KSITIL and KSEBL can form a 50:50 joint venture company with equal share holding. The 50% share of KSEBL will be as 'quid pro quo' for sharing its assets and resources as mentioned above. The committee also recommended that KSEBL shall not lease/ extent ROW along its transmission and distribution infrastructure and shall renew any lease/permission only with the explicit approval of the core committee/ restructured KSITIL. The State Government has accorded in principle approval for the joint venture (JV) company.
 - (6) KSEB Ltd vide the order BO (DB) No. 276/2018 dated 29.01.2018, has accorded in principle approval for the formation of K-FON Joint Venture Company subject to the approval of KSERC and subject to the conditions specified therein.
3. In the meanwhile, KSEB Ltd (hereinafter referred to as the respondent) on 10.07.2018, has formally intimated the Commission as per the Section 41 and 51 of the Electricity Act, 2003 the following regarding the KFON project using the transmission and distribution assets of KSEB Ltd.
- (i) GoK vide the GO dated 18.05.2017 has accorded Administrative Sanction (AS) to lay fiber optic network throughout Kerala and provide cost effective internet connection to 30000 Government offices and educational institutions and free internet access to 20 lakh BPL families, with a total cost of Rs 1028.00 crore. This network will be created in parallel to KSEBL electric network. The Government has designated KSITIL as the implementing agency of the project.
 - (ii) GoK vide the G.O dated 13.10.2017 has given in principle approval for the formation of a JV company with KSITIL, KSEB Ltd and GoK on an equity participation in the ratio of 49:49:2 for implementation of the project.
 - (iii) Board of Directors of KSEB Ltd vide the order dated 29.01.2018 has accorded in principle approval, subject to the approval of KSERC and subject to the conditions specified therein.
 - (iv) The initial authorized and paid up capital of the SPV is Rs 1,00,00,000/- (Rupees one crore). Any further equity requirement shall be met by KSITIL and contribution of KSEBL shall be in kind in lieu of

the value already brought in by KSEB Ltd. The value considered for the same includes RoW, the OPGW fibers provided under transmission network etc. 30% of the project cost will be contributed to the SPV in the form of grant from Government.

- (v) Assets of the KSEB Ltd proposed to be utilized for KFON

Network Type	Infrastructure	Route km	Total km
Backbone (OPGW + ADSS)	66kV & Above (OPGW)	4884	8306
	33kV Poles (ADSS)	1500	
	HT/LT Distribution poles (ADSS)	1922	
Last Mile Network (ADSS)	LT/HT Distribution Poles	43867	43867

- (vi) KSEB Ltd also placed a copy of the draft Joint Venture Agreement to the Commission for intimation.
- (vii) The likely benefits of the KSEB Ltd by way of implementing the project, as reported by KSEBL is extracted below,

Benefits to KSEBL

The cost benefit analysis of the KFON project is detailed in the Detailed Project Report. The monetary benefits cannot be assessed at this stage. However, the impact of KFON project on KSEBL's revenue is envisaged such that the losses, if any, are limited to the initial capital investment.

KSEBL will hold 49% of the share at any point and KSEBL's cash contribution will be limited to the initial capital (Rs.49,00,000/-). The assistance, various rights to use and goods & services, provided by KSEBL on free of cost basis or at discounted rates to KFON will be considered while issuing shares to KSEBL for consideration other than cash. Additional cost incurred, if any, on account of additional fiber being laid, will also be treated as contribution of KSEBL to KFON as equity participation.

With evolution of technology like smart grids, smart meters, IoT etc, the data communication requirements of KSEBL in the distribution segment is expected to increase manifold in near future. The earmarking of 4 fiber cores in the ADSS cable to be laid out by KFON in the distribution network for free use of KSEBL and the provision for intranet connectivity to the KSEBL offices is expected to cater to this requirement.

Being an equity holder KSEBL is entitled to profit share by way of dividend. The assets laid for expanding the fibre network will be vested with KSEBL. KSEBL will also be given 4 fibres in the distribution network and intranet connectivity will be provided to its offices free of

cost. Hence dependence on service providers for KSEBL's IT services will be reduced. Pole rentals, rental for space provided and power charges for PoPs will be paid by KFON to KSEBL. For last mile distribution routes not covered by KFON, KSEBL will continue to collect CTV rentals from operators using KSEBL poles at prevailing rates and terms and conditions. Salary of KSEBL's personnel deputed to KFON will be paid by them.

Even though KSEBL will have to forego revenue by not renewing the existing fiber lease contracts in transmission (presently Rs.3.87 Crore Per annum), the benefits accruing from implementation of KFON project will compensate for the same. It is noted that existing pole rental contracts in distribution are phased out only in routes where the KFON/ISP proposes to draw ADSS cables, for which KFON will in turn be liable to pay the pole rentals at the same rates.

4. The Commission admitted the petition filed by Sri. Premji Easaw Jacob and Sri. Jonas Derek as OP No. 10/2018 and listed for hearing on 18.09.2018. The Commission also considered the intimation of KSEB Ltd as per the Electricity Act, 2003, regarding the utilization of the assets by of the joint venture company KFON.
5. During the hearing, the first petitioner Sri. Premji Easaw Jacob presented the following:
 - (i) Proposed utilization of KSEB Ltd assets by a JV company is in contravention of the Electricity Act 2003.
 - (ii) The primary objective of KSEB Ltd is to provide quality electric supply to all consumers in the state of Kerala. It is not wise to indulge in another business when the primary objective is not yet achieved.
 - (iii) There is some conspiracy in forming such a company, in the pretext for reduction of tariff by utilizing assets of the licensee
 - (iv) KSEB Ltd may require high bandwidth in future for its own communication and protection.
 - (v) Usage of dark fibres by others may threaten the protection system and cyber security of KSEB Ltd. There is no need to form another company, but KSEB Ltd itself may rent out the dark fibres
 - (vi) The LT lines are already under safety threat due to heavy cable of TV network through the poles.
6. Sri. Jonas Derek, the co- petitioner submitted as follows:
 - (i) Formation of Joint Venture Company is against Electricity Act 2003.
 - (ii) If JV goes into loss, there is every possibility that the lenders will freeze the KSEB Ltd assets and there is every chance that KFONE will fail
 - (iii) Communication infrastructure is already in place in the state of Kerala and also that even companies like Reliance, amalgamated company of Airtel and Vodafone etc are not performing well.
 - (iv) Second proviso to Section 51 of Electricity Act 2003 stipulates that;

Provided further that the distribution licensee shall maintain separate accounts for each such business undertaking to ensure that distribution business neither subsidises in any way such business undertaking nor encumbers its distribution assets in any way to support such business.

Therefore, the Commission may ensure that the operation of the company may not encumber the distribution assets due to formation of the company.

7. During the hearing, Sri C P George, representing K S E B Engineers Association (herein after referred to as the KSEBEA) submitted as follows;
- (i) The basic objective of the Electricity Act-2003 is to distance the Government from the functioning of the electricity distribution companies. The present intention of the Government is to intervene and use the distribution assets created by KSEB Ltd using the public money for information and technology business, which is totally outside the purview of the EA-2003.
 - (ii) Regulatory approval is mandatory for the utilization of the assets of KSEB Ltd for other purposes.
 - (iii) The JV company is proposed to utilize the communication potential of the fiber laid down by KSEB Ltd for integrated grid operation, grid control and protection applications. A dual ownership of the assets over shall lead to conflict of interest between KSEB Ltd and the communication company.
 - (iv) As the KFON is a JV with 50% share of KSEBL, if the company is on loss, the loan liability also come on assets of KSEBL also.
 - (v) Establishing any communication network using the assets of the power system must be in compliance with the rules and Regulations in power sector and requires approvals from the authorities concerned, duly appraising the technical, security and safety issues.
 - (vi) The proposal to form a separate JV communication company KFON is in conflict with CERC (Communication system for Inter State Transmission of Electricity) Regulations, 2017.
 - (vii) Hence Mr. C. P. George requested that,
 - (1) To freeze all the activities towards formation of the JV company with optical fibre network through KSEBL supports
 - (2) Not to allow KSEBL to do other business in conflict with Section 41 & 51 of Electricity Act 2003.
 - (3) Not to allow KSEBL as a partner in the proposed JV Company.
 - (4) Not to allow handing over of any of the assets of KSEBL to the JV Company.

- (5) Not to allow sparing of any of its employees earning salary from KSEBL, to the works of the JV company, unless they are properly deputed for the job through relevant procedures.
 - (6) Not to permit dual ownership of the KSEBL assets with the JV Company in KSEBL's EHT Substations & Transmission lines considering safety & security issues as it comes under protected area notification
 - (7) Ensure compliance of appropriate standards and procedures specified by CEA, SRLDC, NLDC, SERC & CERC in installation, operation and maintenance of OPGW/OFC cable network installed along the ROW of LT/HT/EHT lines and the power sector installations.
8. Rathish Kumar, on behalf of The Kerala HT & EHT Industrial Electricity Consumers' Association requested for time upto the end of this month to file their comments.
9. During the hearing, Sri. Bipin Sankar, Deputy Chief Engineer and Sri. K.G.P. Nampoothiri presented the arguments on behalf of the respondent KSEB Ltd and submitted that the petition is not maintainable due to the following reasons:
- (i) *The instant petition is not filed as per any of the provisions of the Electricity Act 2003 and KSERC Conduct of Business Regulations 2003. In view of this the petition is not maintainable.*
 - (ii) *The prayers raised by the petitioner are not matters on which a course of action can be initiated by the Hon. Commission as per the existing legal provisions. Alternately, the petitioner has not pointed out any legal provisions that can be called in to facilitate any of the prayers made in this petition as per existing provisions of the Act and regulations in force. The petitioner has no locus standi and therefore the petition may be rejected.*
 - (iii) *As per Sections 41 and 51 of the Electricity Act 2003, transmission and distribution licensees are allowed to conduct "other businesses" for optimum utilisation of its assets. In compliance with the Sections 41 and 51 of the Electricity Act 2003, KSEBL has submitted prior intimation to the Hon'ble Commission regarding the formation of KFON Joint Venture Company vide letter dated 10.07.2018.*
 - (iv) *KSEBL has made requisite conditions in the Joint Venture Agreement to ensure that its participation in the proposed KFON project is in compliance with the relevant provisions under Sections 41 and 51 of the Electricity Act, 2003 and Regulations 8 (Distribution Licensees) & Regulation 7 (Transmission Licensees) –'Other Activities of the Licensee' under Kerala State Electricity Regulatory Commission (Licensing) Regulations, 2006.*
 - (v) *KERALA FIBER OPTIC NETWORK LIMITED, was incorporated under the Companies Act, 2013, on the Sixth day of September 2018.*

- (vi) *No asset of KSEBL is being handed over to KFON or is encumbered in any manner for availing loans or servicing debts of KFON. The major source of income for KFON is expected to accrue from the lease of dark fiber.*
- (vii) *Operations of KSEBL's communication networks will be carried out by KSEBL itself. KFON is only allowed to utilise excess capacity available in OPGW in transmission lines and to draw optic fibres along distribution poles and establishing Point of Presence (PoP) in substations without any impediment to KSEBLs operations.*
- (viii) *KFON has to pay pole rental at existing rates to KSEBL and hence there is no loss of revenue in pole rentals due to formation of KFON. The present internet charges incurred by KSEBL is nearly 15 Crore.*
- (ix) *KSEBL will depute the required manpower to the Joint Venture Company's Operations wing only on terms of deputation prevailing in KSEB Ltd. The salary of the deputed personal will be met by KFON.*
- (x) *There is no provision in the prevailing regulations empowering the Hon'ble Commission to issue directions to a licensee (KSEBL) to continue its 'Other Business'.*

Analysis & Decision

10. The Commission examined the subject matter as per the provisions of the Electricity Act 2003, and Regulations framed there under. The provisions in the Electricity Act 2003 and the Regulations notified by the Commission regarding the utilization of assets of KSEB Ltd in transmission and distribution business for other business are extracted below:

- (1) Section 41 of Electricity Act 2003 provides for other business of transmission licensees :

“Section 41. (Other business of transmission licensee):

A transmission licensee may, with prior intimation to the Appropriate Commission , engage in any business for optimum utilisation of its assets:

Provided that a proportion of the revenues derived from such business shall, as may be specified by the Appropriate Commission, be utilised for reducing its charges for transmission and wheeling:

Provided further that the transmission licensee shall maintain separate accounts for each such business undertaking to ensure that transmission business neither subsidises in any way such business undertaking nor encumbers its transmission assets in any way to support such business:

Provided also that no transmission licensee shall enter into any contract or otherwise engage in the business of trading in electricity.”

As above, KSEBL as a STU/transmission licensee, with the prior intimation of this Commission, can engage in any business for optimum utilization of its assets, provided, the proportion of revenue derived from such business shall be utilized for reducing the transmission and wheeling charges.

- (2) Section 51 of Electricity Act 2003 provides that other business of distribution licensees:.

“Section 51. (Other businesses of distribution licensees):

A distribution licensee may, with prior intimation to the Appropriate Commission, engage in any other business for optimum utilisation of its assets:

Provided that a proportion of the revenues derived from such business shall, as may be specified by the concerned State Commission, be utilised for reducing its charges for wheeling :

Provided further that the distribution licensee shall maintain separate accounts for each such business undertaking to ensure that distribution business neither subsidises in any way such business undertaking nor encumbers its distribution assets in any way to support such business.

Provided also that nothing contained in this section shall apply to a local authority engaged, before the commencement of this Act, in the business of distribution of electricity.”

As above, KSEBL as the distribution licensee can engage in other business for optimum utilization of its assets, provided, a proportion of the revenue derived from such business shall be utilized for reducing its charges for wheeling.

- (3) The Regulation 6 of the KSERC (Conditions of License for Existing Distribution Licensees) Regulations, 2006. (hereinafter referred as Licensing Regulation), also specify the other activities of the distribution licensee which is extracted below.

“6.Other Activities of the Licensee.-(1) The Licensee with prior intimation to the Commission may engage in any other business, only so long as such activity is likely to result in the optimum utilization of the assets and infrastructure comprising the distribution system and subject to the following conditions:

(a) provided the distribution business and the conduct thereof by the Licensee is not prejudiced and / or adversely affected in any manner;

(b) provided that a proportion of the revenues derived from such business shall, as may be specified by the Commission, be utilized for reducing the wheeling charges of the Licensee;

(c) provided further that the Licensee shall maintain separate accounts for each such business to ensure that distribution business neither subsidizes in any way such business undertaking nor

encumbers its distribution assets in any way to support such business.

(d) the Licensee shall always comply with such guidelines that the Commission may specify in this regard.

(2) The Licensee shall seek the approval of the Commission before contracting any loans to, or issuing any guarantee for any obligation of any person, where the same is either beyond the permissible limits imposed by the statutes, or cannot be construed as being an exception and/or exemption under the statutes. Loans to employees pursuant to their terms of service and advances to suppliers in the ordinary course of business are excluded from the requirement to seek such approval.

(3) The Licensee may authorize any person to carry out any of the functions that the Licensee is authorized to conduct or carry out under the Act and this licence.

Provided always that:

(a) any such person shall operate under the overall supervision and control of the Licensee and upon the terms and conditions of this licence; and

(b) the Licensee shall have, prior to delegating any function inform the Commission of such action.

(c) the Licensee shall also be responsible for all actions of such person.

11. As above the Section 41 and 51 of the Electricity Act 2003 and Regulation 6 of the Licensing Regulations, KSEB Ltd as the STU/transmission licensee, distribution licensee can engage in other business for optimum utilization of its assets, with the prior intimation to this Commission. Further, the revenue earned from the other business shall be used for reducing the wheeling charges. Further, the Regulations-6 of the licensing Regulations stipulate that, the licensee shall ensure that, the distribution business neither subsidise in any way such other business nor encumbers its distribution assets in any way to support such business.
12. KSEB Ltd is the State Transmission Licensee and the incumbent distribution licensee of the State. All the assets of KSEB Ltd was created with public money, and its cost are recovered from the consumers through tariff in the form of transmission charges, wheeling charges or retail tariff. As extracted above, the Section 41 and Section 51 of the Electricity Act, 2003 permits the KSEB Ltd as the STU and Distribution licensee, to do for other business for **optimum utilization** of its assets with 'prior intimation' to the Commission, and the revenue earned from such other business shall be used for the reduction of the transmission charges, wheeling charges and retail tariff. So the objective of the Section 41 and 51 of the Electricity Act. 2003 is very clear.
13. The Commission also noted that, KSEB Ltd has been engaging in other business by renting out it distribution poles to the cable TV operators, and

leasing out excess fibers of OPGW net works etc. The annual revenue earned through these activities during the last three years is given below.

Year	Distribution pole rent	Lease rent from OPGW cables	Total
	(Rs.Cr)	(Rs.Cr)	(Rs.Cr)
2015-16	36.55	3.31	39.86
2016-17	33.74	3.67	37.41
2017-18	36.72	3.87	40.59

14. KSEB Ltd has been accounting the pole rentals as part of its non-tariff income and while approving the annual revenue requirement, the Commission also has been recognizing this.
15. The Commission also noted that, the Government orders dated 18.05.2017 and 13.10.2017, envisages to use the transmission and distribution network of KSEB Ltd for the K-FON project. It is not clear from the documents submitted before the Commission that, existing revenue earned by KSEB Ltd shall be ensured from the K-FON project.
16. The Commission has noted that, the petitioners are the pensioners of KSEB Ltd and as such stakeholders of it. Thus the petitioners had every right to raise such issues before this Commission, since it may affect the financials of the licensee.
17. During the deliberations of the subject petition on 18.09.2018, the Commission has directed the representative of the KSEB Ltd to clarify the following:
 - (1) The details of assets of KSEB Ltd proposed to be used by a JV company, namely K-FON. Whether as per the provisions of the Electricity Act, 2003, this is permissible?
 - (2) What is the revenue earned during the last '10 years ' through renting out the distribution poles and leasing out spare optical fibers?
 - (3) How, KSEB Ltd can ensure the pole rentals and lease rents from the JV company.
 - (4) Whether the proposed JV communication company got approval and license from TRAI.
 - (5) How, as per the provisions of the EA-2003, the assets created/ regulated as per the provisions of the EA-2003 can be used for an entirely different purpose. Please clarify.
 - (6) Whether, as per the provisions of the Electricity Act-2003, the State Government can issue the directions as per its orders (1)G.O (Ms) No.

10/2017/ITD dated 18.05.2017 and (2) G.O (Ms) No. 22/2017/ITD dated 13.10.2017. Please clarify with supporting documents.

- (7) Whether the transmission assets and distribution assets created with the grant from Central Government including PSDF fund, R-APDRP/IPDS can be allowed to be used for other business by a JV company?
- (8) How the safety and security aspects of the assets of KSEB Ltd, which is intended and created for the sole purpose of electricity business can be ensured?
- (9) The equity of KSEB Ltd in the JV company is less than 50% only. Hence, how KSEB Ltd can ensure the interest of KSEB Ltd and its electricity consumers, when its assets being permitted to use by the JV company.
- (10) How, the JV company can ensure the financial viability, since most of the existing communication companies are under severe financial and liquidity problems.
- (11) KSEB Ltd is bound to function as per the safety and security standards specified by the CEA, CERC, KSERC and other statutory authorities. How, KSEB Ltd can ensure the safety and security aspects of the assets permitted to use by the JV company for its use?
- (12) Whether there will be any duplication of efforts as compared to NOFN/Bharat Net project of Central Govt.

- 18.** However, the representatives of the KSEB Ltd could not clarify the above aspects. KSEB Ltd submitted that, they are also totally dark on the JV company named K-FON. As per the latest information, a JV company was incorporated on 6th September 2018 and KSEB Ltd shall submit a copies of the MoA, AoA, and other relevant documents within one month. KSEB Ltd further submitted that the final status and model of the company is on the discussion stage and it will revert to provide full details to the Commission.
- 19.** The Commission further states that, though the Section 41 and Section-51 of the Electricity Act-2003 envisages only prior intimation when the KSEB Ltd engaged in other business by utilizing its transmission and distribution assets, as per the same sections, the Commission has to ensure that, such other business is by 'optimum utilisation' of its assets and it will not create any additional liability to the KSEB Ltd and its electricity consumers and also the safety and security threats of the electricity business. Hence, the KSEB Ltd has to submit a proper petition as per the KSERC (Conduct of Business) Regulations, 2003 and its amendments, read along with the provisions of the KSERC (Conditions of License for Existing Distribution Licensee) Regulations, 2006 and as per the provisions of the Electricity Act-2003. The Commission may grant permission for other business, if such business results in optimum utilization of the transmission and distribution assets and ultimately it lead to reduction of transmission charges, wheeling charges and retail tariff. The Commission cannot grant permission for other business without necessary and sufficient details as above.

Order of the Commission

- 20.** Based on documents and other details placed before the Commission by the petitioners, and the respondent KSEB Ltd, the Commission here by orders that, KSEB Ltd within one month from the date of the order shall,
- (1) Submit detailed clarifications with supporting documents on the issues raised by the Commission under paragraph 17 above.
 - (2) KSEB Ltd shall seek permission by submitting a proper petition for other business by optimum utilization of its transmission and distribution assets with necessary supporting documents and documentary evidences.

Sd/-

**K.Vikraman Nair
Member**

Sd/-

**S.Venugopal
Member**

Sd/-

**Preman Dinaraj
Chairman**

Approved for issue

**K B Santhosh Kumar
Secretary**