

**KERALA STATE ELECTRICITY REGULATORY COMMISSION**  
**THIRUVANANTHAPURAM**

Present: **Shri. S. Venugopal, Member**  
**Shri. K.Vikraman Nair, Member**

**Petition No. OP 6/2017**

In the matter of : In the matter of the application submitted by  
M/s Lulu Cyber Park, Kakkanad for single point  
supply and sharing of Electricity charges under sub  
regulation (2) of Regulation 56 2 of Kerala State  
Electricity supply Code 2014

Petitioner : M/s KINESCO Power and Utilities Pvt Ltd,  
CFC Building, Kinfra Park,  
Infopark P.O,  
Kakkanad, Kochi- 682042

Petitioner represented by : Sri. Radhakrishna Pillai, Sr.Counsultant (Tech)  
Sri. Sajeev.M.S, Resident Engineer

KSEBL represented by : Smt. Meharunnisa .M, EE, TRAC, KSEB Ltd  
Sri. Manoj .G, AEE, TRAC, KSEB Ltd  
Smt. Bindu.V, AEE, TRAC, KSEB Ltd  
Sri. Rajesh . R, AEE, TRAC, KSEB Ltd  
Sri. Anoop Mathew, SA, TRAC , KSEB Ltd

**Order dated 21.12.2017**

1. M/s KINESCO Power and Utilities Private Limited (hereinafter referred as KPUPL) filed a petition on 09.05.2017 based on the application submitted by M/s Lulu Cyber Park, Kakkanad, an HT consumer ( herein after referred to as LULU), for single point supply and sharing of Electricity charges under Regulation 56, sub regulation 2 of Kerala State Electricity Supply code 2014.
2. The KPUPL vide the application dated 09.05.2017 has submitted as follows:
  - a. M/s Lulu Cyber Park, Kakkanadu (herein after referred as M/s LULU) is an HT consumer (Consumer No.110) of M/s KPUPL, and the tariff assigned to them

is HT-I (B), the tariff applicable to IT and IT enabled services. The connection was effected on 23/01/2008 with a contract demand of 2900 kVA. M/s LULU is having a multi storied building, and providing space for various IT enabled services. They claim to have separate distribution arrangements to their beneficiaries. The beneficiaries of M/s Lulu Cyber Park includes, 25 IT company, 3 Banking services, 2 Canteen services and 10 common facilities.

- b. The Chief Electrical Inspector during an inspection reported that, there is unauthorized resale of electricity inside Lulu cyber Park. M/s KPUPL has given notices to the LULU to have separate distribution arrangements to the beneficiaries as per the regulation 55 of Kerala State Electricity Supply code 2014. But LULU submitted application for availing single point supply. Therefore KPUPL submitted application before the Commission for providing single point supply to LULU and to fix the tariff rate of electricity charges to their individual beneficiaries.
3. Thereafter, M/s KPUPL, vide letter dated 24.6.2017 has submitted the following additional information before the Commission.
- (i) LULU is a HT I B consumer and it is proposed to add wheeling charges of Rs 0.31 /unit to arrive the single point supply tariff .
- (ii) LULU is sharing electricity charges with their individual beneficiaries on no profit basis. Electricity charges are shared in accordance with the consumption of each beneficiary.
4. The Commission admitted the petition filed by KPUPL as OP No. 6/2017 and heard the petition on 11.07.2017 at 11:00 AM in the Court Room of the Commission, along with a similar petition filed by M/s CSEZ, another small licensee in the State. Sri. Sajeev.M.S, Resident Engineer presented the matter on behalf of KPUPL and responded to the queries of the Commission. Sri. Manoj G, Assistant Executive Engineer, TRAC represented KSEB Ltd.
5. The Commission vide the common daily order dated 17.07.2017 has issued directions to the licensees M/s CSEZA and M/s KPUPL as follows:

*“Considering the deliberations during the hearing, the Commission here by issues the following directions, to comply and report by 14-8-2017.*

*(i) The licensees CSEZ and KPUPL, shall clarify the following.*

*(a) whether the sharing of electricity charges among the beneficiaries of the developers M/s Muthoot since the year 2005 and M/s Lulu since the year 2008 are legal.*

*(b) The rationale for availing supply at single point supply at this stage.*

*(c) The methodology for sharing the common services and infrastructure cost including the electricity generated from backup diesel generator.*

*(d) Whether there is facility to provide separate distribution arrangements to the individual beneficiaries. “*

6. In compliance of the directions of the Commission, M/s KPUPL, vide letter no. KINESCO/KSERC/LULU/2017-18/304 dated 25-08-2017 submitted its reply. The summary of the reply submitted by M/s KPUPL is given below.

(a) L&T Tech park entered into agreement with KEPIP on 23.1.2008 for availing electricity supply. The building was later taken over by M/s LULU and they are providing power supply to IT companies operating in it. M/s LULU intimated that the segregation into individual connections is not possible at this stage since the existing companies operate 24 X 7 basis. M/s Lulu Cyber Park is eligible for 'Single Point Supply' to their premises in the light of Kerala Electricity Supply Code, 2014 provisions, allowing for single point supply and sharing of electricity charges to premises with multiple beneficiaries.

(b) At present the energy consumption of HVAC Chiller & AHU consumption units are shared with individual beneficiary using separate sub-meter. Other common infrastructure including common lighting, elevators, pumps etc, the consumption units are shared based on the area occupied by each individual beneficiary. There are two diesel generators having capacity 1500kVA each, however at present there is no facility to segregate DG power from KINESCO power.

(c) The existing electrical system facilitates for separate power distribution to each individual beneficiary.

7. Commission observed that KPUPL has not submitted any proposal for determining the tariff of single point supply for M/s LULU. The suggestion of the M/s KPUPL for adding wheeling charges is devoid of merits Further, KPUPL submitted that the common infrastructure is shared on the basis of area occupied. Commission also observed that the generation from DG is not separated. The Commission cannot proceed with the determination of tariff for single point supply to M/s LULU from KPUPL with such deficiencies,.

8. From the foregoing discussion, the Commission concludes that the M/s KPUPL has failed to adhere to the duty entrusted to it as a distribution licensee. The licensee came to know that resale is being carried out in the premises only when the Chief Electrical Inspector pointed out the issue. Further, as a licensee, KPUPL should be well aware of the details to be submitted along with the application for single point supply as per the Regulation 56 of the Supply Code,2014. However,

no tariff proposal for the single point supply has been submitted by the licensee. The licensee is duty bound to act according to the provisions of Electricity Act 2003, Supply Code, 2014 and the rules framed there under.

9. The Commission hereby orders that

(1) The licensee shall ensure that no illegal activity / misuse of electricity is happening in the consumer premises. If any misuse of electricity is detected action as per the relevant section of Electricity Act 2003 should be taken.

(2) The licensee may approach the Commission for approval of tariff for single point supply with proper tariff proposal after the infrastructure in the premises is made suitable for availing single point supply.

The petition is disposed off.

Ordered accordingly.

Sd/-

**K.Vikraman Nair**  
**Member**

Sd/-

**S.Venugopal**  
**Member**

Approved for Issue

Sd/-

**Santhosh Kumar. K.B**  
**Secretary**