

\*\*\*\*\*

signed with M/s HINDALCO as per clause 81 of OERC Distribution (Conditions of Supply) Code, 2004.

3. The Commission has been requested to accord approval for the Special Agreement executed between HINDALCO and WESCO for giving power supply on the aforesaid terms and conditions.
4. HINDALCO has also submitted a petition on 22.09.05 requesting that the Special Agreement executed between HINDALCO and WESCO may be approved in accordance with clause 81 of the OERC Distribution (Conditions of Supply) Code, 2004.
5. The case was heard on 06.10.05 in presence of both the parties.

An extract of Clause 81 of OERC (Conditions of Supply) Code 2004 is reproduced below :

*Consumer under Special Agreement*

*81. "The licensee may, having regard to the nature of supply and purpose for which supply is required, fix special tariff and conditions of supply for the consumers not covered by the classification enumerated in this Code. For such purpose licensee may enter into special agreements with the approval of the Commission with suitable modifications in the Standard Agreement Form. The tariff in such cases shall be separately approved by the Commission. "*

6. Agreement for power supply for industrial consumers according to the OERC (Conditions of Supply) Code, 2004 should continue to be in force until the expiry of five years from the date of supply. Since the power supply so requested is for a period of one month it does not fit into the

standard format of agreement for power supply for which this short duration power supply is allowed to be covered under special agreement.

7. The Commission in the tariff order for the financial year 05-06 have already approved a rate of Rs.2.30 per unit for power intensive industries covered under Special Agreement. Both the parties have agreed for a overall rate of Rs.2.30 per unit at a guaranteed load factor of 80%. As such, the Commission accord its approval to the aforesaid tariff in the special agreement for the duration of power supply from 01.08.2005 to 31.08.2005 only.

This disposes of the petition filed before the Commission.

**Sd/-**  
**(S.K. Jena)**  
**Member**

**Sd/-**  
**(B.C. Jena)**  
**Member**

**Sd/-**  
**(D.C. Sahoo)**  
**Chairperson**