

7.	03/2019	N/A	DIO	ME4JF114G98068750	JF11E6145798
8.	03/2019	KA04EQ0816	DECOVE RY	MD2DSDSZNCA524 42	DSGBNA29920

Bangalore City,
Date: 24/06/2017.

Magistrate, 4th M M T C,
Nrupathunga Road, Bangalore City.

PR-534

KARNATAKA ELECTRICITY REGULATORY COMMISSION
No. 16 C-1, Miller Tank Bed Area, Vasanth Nagar, Bengaluru- 560 052
NOTIFICATION
No: KERC/DD(Trans.)/KPTCL/Misc-1/2019-20/703, Dated: 19-10-2020

**“SHARING OF REVENUE DERIVED BY TRANSMISSION AND/OR DISTRIBUTION
LICENSEE(S) FROM OTHER BUSINESS”**

Preamble:

Under Section 41 and Section 51 read with Section 181(o) and (y) of the Electricity Act, 2003 (36 of 2003), the Karnataka Electricity Regulatory Commission is mandated to specify the terms and conditions for the sharing of revenue from other business of the Transmission and/or Distribution licensee(s) and for matters incidental and ancillary thereto within the State of Karnataka.

In this context, KPTCL vide its letter no. KPTCL/B36/2020-21/11053/539 dated 28.07.2020 had submitted that as per Section 41 of the Electricity Act, 2003 “Other Business of transmission Licensee”, the State Commission has to specify the sharing of revenues derived from such other business by notifying Regulations. As such, KPTCL has submitted a draft Regulations on “Sharing of Revenue Derived from utilization of Transmission Assets for other business” for STU for approval of the Commission.

Therefore, in exercise of the power conferred on it under Section 41 and Section 51 read with Section 181(o) and (y) of the Act, and all the powers enabling it in this behalf, the Commission hereby makes the following Regulations, namely “the Karnataka Electricity Regulatory Commission (Sharing of Revenue from Other Business of Transmission and/or Distribution Licensee(s) Regulations, 2020”.

As required under sub section (3) of section 181 of the Act, and The Electricity (Procedure for previous Publication) Rules, 2005, the Draft Regulations as enclosed are hereby published for information of the persons likely to be affected and all the stake holders.

Any objections/suggestions/views on the proposed draft shall be furnished within 30 days from the date of publication in the gazette, to the Secretary of the Commission at the following address:

The Secretary
Karnataka Electricity Regulatory Commission,
No 16, C-1, Miller Tank Bed Area,
Vasanthanagar, Bengaluru-560052

Draft Karnataka Electricity Regulatory Commission (Sharing of Revenue from Other Business of Transmission and/or Distribution Licensee(s)) Regulations, 2020

1. Short title, extent and commencement: -

- i. These Regulations may be called the **Karnataka Electricity Regulatory Commission (Sharing of Revenue from Other Business of Transmission and/or, Distribution Licensee(s)) Regulations, 2020.**
- ii. These Regulations shall be applicable to all intra-state Transmission Licensee(s)/Distribution Licensee(s) in the State of Karnataka.
- iii. These Regulations shall come into force from the date of its publication in the Official Gazette.

2. Definitions and interpretation: -

In these Regulations, unless the context otherwise requires:

- a) "Act" means the Electricity Act, 2003 (36 of 2003);
- b) "Commission" means the Karnataka Electricity Regulatory Commission;
- c) "Gross revenue" means the gross revenue recognized in the Statement of Profit and Loss of the Transmission and/or Distribution Licensee(s) from other business during a financial year;
- d) "Licence" means a licence granted under Section 14 of the Act to undertake Intra- State Transmission/Distribution of Electricity in the State;
- e) "Licensed Business" shall mean the function and activities, which the Licensee (including a deemed licensee) is required to undertake as specified in the Karnataka Electricity Regulatory Commission (Licensing) Regulations as amended from time to time.
- f) "Licensee" means a Transmission Licensee(s) and or a Distribution Licensee(s) as specified under Section 2(73) and Section 2(17) of the Electricity Act 2003;
- g) "Other Business" means any business of the Licensee other than the licensed business carried out using the assets and associated facilities of the licensed business, in accordance with

provision of Section 41 and Section 51 of the Act;

h) "State" means the State of Karnataka;

i) Words and expressions occurring in these Regulations and not defined herein above shall bear the same meaning assigned to them in the Electricity Act, 2003 or the relevant Regulations/Codes specified by the Commission.

3. Intimation of other business:

(1) A licensee shall give prior intimation to the Commission for undertaking any business other than the licensed activity. While giving intimation in terms of Clause(1) of this regulation, the licensee shall furnish the following details:

a) nature of other business;

b) assets utilized or proposed to be utilized for other business;

c) cost of such assets utilized or proposed to be utilized;

d) revenue derived or estimated to be derived from other business;

e) underlying assumptions and justifications for estimated revenue;

f) impact, if any, of use of assets for other business on intra-State transmission/distribution of electricity; and

g) any other details required by the Commission.

(2) The Licensee, may engage in any Business for optimum utilization of its assets as under Section 41 or Section 51 of the Act, subject to following conditions:

a) a proportion of the revenues derived from such business, shall be utilised for reducing charges for transmission or wheeling of electricity, as the case may be.

b) the Licensee shall maintain separate accounts for each such business.

c) Licensees shall ensure that licensed business neither subsidises in any way such business undertaking nor encumbers its licensed business assets in any way to support such business.

d) no transmission licensee shall enter into any contract or otherwise engaged in the business of trading in electricity.

4. Account: -

(1) The Licensee shall in respect of each of the other business:

a. Keep such accounting records in respect of each such Other Business as if it were carried on by a separate company, so that the revenues, costs, assets, liabilities, reserves and provisions of, or

reasonably attributable to, each Other Business are separately identifiable in the books of the Licensee, from those of any Other business in which the Licensee is engaged;

- b. Prepare a statement of revenue on a consistent basis from such accounting records and submit it to the Commission along with the Petition for Transmission Tariff or Retail Supply Tariff (RST):
- i) the Accounting Statements
 - ii) profit and loss account, cash flow statement and balance sheet together with such supporting documents and information at the time filing the Petition for APR.
 - iii) in respect of the Accounting Statements prepared in accordance with this condition, an Auditor's report in respect of each financial year, stating whether in their opinion, these Statements have been properly prepared and give a true and fair view of the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to, the Other business to which the Statements relate; and
 - iv) Copies of the Accounting Statements and Auditors report not later than six months after the end of the financial year to which they relate.

5. Prohibitions and Financial Implications: -

- 1) The Licensee shall not in any manner utilize the assets and facilities of the Licensed Business or otherwise directly or indirectly allow the activities to be undertaken in a manner that it results in the Licensed Business subsidising the Other Business in any manner.
- 2) The Licensee shall not in any manner, directly or indirectly encumber the assets and facilities of the Licensed Business for the other Business or for any activities other than the Licensed Business.
- 3) The Licensee shall duly pay for all costs accounted for in the Licensed Business which have been incurred for Other Business and in the event of such cost being incurred commonly for both the Licensed Business and Other Business, apportion such cost and ensure due payment of apportioned costs to the Licensed Business from the Other Business.
- 4) The revenue derived from the Other Business shall commensurate with prevailing market condition for such similar business activities.
- 5) In addition to the sharing of costs under sub-clause (3) above, the Licensee shall account for and ensure due payment to the Licensed Business a certain proportion of revenues from the other Business as follows:

- a. For Telecommunication Business, the Licensee shall retain 90% of the net revenue from such business and pass on the remaining 10% of the gross revenue to the regulated business; and
 - b. For business other than Telecommunication Business, the Licensee shall retain 80% of the net revenue from such business and pass on the remaining 20% of the gross revenue to the regulated business;
- 6) Licensees should ensure that at no point of time,
- a) Renting/Leasing of its assets result in lack of available capacity for other consumers/generators.
 - b) the safety of the assets of a licensee is compromised.
 - c) can lease/sell its assets without prior approval of the Commission in accordance with Section 17(3) of the Electricity Act, 2003.

6. Payments towards Damages: -

Either of the parties shall not be liable for payment towards any damages to the assets caused under "Force Majeure Conditions".

For any reasons other than 'Force Majeure Conditions', the parties shall be liable towards payment for any damages to the assets caused by the party, as assessed by the affected party.

For the purpose of these regulations "Force Majeure Conditions" shall mean the events or circumstances or combination of events and circumstances including those stated below and only if such events or circumstances are not within the control of the transmission licensee or distribution licensee and could not have been avoided, had they taken reasonable care or complied with the prudent practices:

- a) Act of God including pandemic, lightening, drought, fire and explosion, earthquake, volcanic eruption, landslide, flood, cyclone, typhoon, tornado, geological surprises, or exceptionally adverse weather conditions which exceeds the statistical measures for the last hundred years; or
- b) Any act of war, invasion, armed conflict or act of foreign enemy, blockade, embargo, revolts, riot, insurgency, terrorist or military action; or
- c) Industrial Strikes and labour disturbances having nationwide impact in India; or
- d) Delay, not attributable to the Licensee;

7. Powers of the Commission: -

(1) The Commission may at any time direct investigation of the assets and facilities of the Licensed

Business being used for the Other Business of the Licensee to determine: -

- (a) whether the costs and expenses are being appropriately adjusted and paid as mentioned in clause 5 above;
 - (b) whether the revenues of the Other Business are in accordance with provisions of sub-clause 4 of Regulation 5 and are reasonably and properly accounted for to determine the gross revenues and the amounts payable to the Licensed Business.
 - (c) Any other matter as may be decided by the Commission.
- (2) The Commission may authorize any officer of the Commission or any professional person or expert or consultant to carry out the investigation under sub-clause (1) above and submit a report to the Commission.
- (3) The Commission may, after considering the report under sub-clause (2) above and after giving an opportunity of hearing to the Licensee, pass such orders as the Commission considers appropriate in regard to the costs and expenses to be shared by the Other Business and proportion of the revenue of the Other Business to be accounted as the income of the Licensed Business.

8. Issue of orders and practice directions: -

Subject to the provisions of the Electricity Act, 2003 and these Regulations, the Commission may, from time to time, issue Orders and Practice Directions in regard to the implementation of these Regulations and procedure to be followed on various matters, which the Commission has been empowered by these Regulations to direct, and matters incidental or ancillary thereto.

9. Power to remove difficulties:

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do or undertake or direct the Licensee to do or undertake things, which in the opinion of the Commission is necessary or expedient for removing the difficulties.

10. Power to amend:

The Commission may, at any time add, vary, alter or modify any provisions of these Regulations by amendment.

11. Procedure for investigation, inquiries etc.:

All inquiries, investigations and collection of information shall be done by the Commission as per the provisions of its Karnataka Electricity Regulatory Commission (General and Conduct of Proceedings) Regulations as amended from time to time.

SECRETARY
for Karnataka Electricity Regulatory Commission

PD-71

**OFFICE OF THE 11TH ADDL.CHIEF METROPOLITON MAGISTRETE BANGALORE
CITY DRAFT NOTIFICATION**

To.No. 179 /20 Bangalore

Dated:27.10.2020

It I here by notified to the General Public that the Following unclaimed Vehicles are in the custody of K.G.Halli P.S Bangalore City which are seized under NCR Case

NCR NO-486/2020

SL No	Make	Reg No	Chassis No	Engine No	Color
1	KTM Duke	Nil	-	-	White & Black
2	Honda Dio	Nil	-	-	Black
3	Bajaj Pulsar	KA-04 ER-2735	-	-	Black
4	Honda Dio	KA-03 HD 6141	-	-	Grey
5	Honda Activa	KA-01 HI-2754	-	-	White
6	Splendar	KA-03 HN-6681	-	-	Blue & Black
7	Bajaj Pulsar	Nil	-	-	Blue
8	Bajaj Discover	Nil	-	-	Red & Black
9	TVS Star City	KA-03 HR-9649	-	-	Green & Black
10	Honda Activa	KA-03 EX-3609	-	-	White
11	Suzuki Access	KA-03 HV-9880	-	-	White
12	Suzuki Samurai	KA-09 R-5401	-	-	Black