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Ref: BIAL/AERA/CP10/2011

To,
Shri. Sandeep Prakash,
Secretary,
Airports Economic Regulatory Authority of India,
AERA Building, Administrative Complex,
Safdarjung Airport,
New Delhi – 110 003.

Dear Sir,

Sub: Comments in respect of Consultation Paper No.10/2011-12
Ref: F. No. AERA/20011/MYTP/BSSPL/ITP/BIAL/2011-12 –Consultation Paper No.10/2011-12
dated 22nd June 2011.

This has reference to the Consultation Paper No.10/2011-12 dated 22nd June 2011 on “Multi Year Tariff Proposal for 1st Control Period submitted by Bharat Stars Services Pvt., Ltd., Into Plane Services provided at Bangalore International Airport, Bengaluru”.

In this connection, we would like to bring to your kind attention that, Bangalore International Airport Limited (BIAL) has preferred an Appeal (Appeal No. 12/2011) on Order Nos.5, 12, Direction No. 4, DO letter dated 21.2.2011 and Order No. 17 passed by the Authority inter alia on the grounds that services of Cargo, Ground Handling and Supply of Fuel to the Aircraft are outside the ambit of regulation as they are non-regulated activities as per the Concession Agreement signed between Government of India and BIAL and the Independent Service Providers (ISPs) derive their right through respective Service Provider Right Holder Agreements entered with BIAL.

Appeal No.12/2011 was heard on 19th May 2011 by the Hon'ble Appellate Tribunal and the Tribunal was pleased to tag the said Appeal with Appeal No.7/2011 and ordered that the interim order passed in Appeal No.7/2011 shall operate in this case also. It was further ordered that the information received by the Authority in response to Direction No. 4 shall be treated as confidential and that the authority shall not proceed to determine tariff.

This submission is being made without prejudice to our right to make further submissions at a subsequent stage, if found necessary.

Thanking you and warmest regards,

Yours sincerely,
for Bangalore International Airport Limited

(B. Bhaskar)
Director - Finance

6/7/11
08/07/11

July 5, 2011

AGM (R) Padhake
MGR (DK)
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