

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

- 1. SHRI ASHOK BASU, CHAIRPERSON**
- 2. SHRI K.N. SINHA, MEMBER**
- 3. SHRI BHANU BHUSHAN, MEMBER**
- 4. SHRI A.H.JUNG, MEMBER**

Petition No. 9/2003

In the matter of

Payment of outstanding dues by APTRANSCO to GRIDCO for the period from January 2001 to July 2001.

Petition No 11/2003

And in the matter of

Payment of outstanding dues by APTRANSCO to GRIDCO for the period from October to December 2000 and March-April 2002

Petition No.12/2003

And in the matter of

Payment of outstanding dues by APTRANSCO to GRIDCO for the period from September to December 2001

And in the matter of

GRID Corporation of Orissa Ltd.		Petitioner
Vs		
Transmission Corporation of Andhra Pradesh		Respondent

The following were present:

1. Shri R.K. Mehta, Advocate, GRIDCO
2. Ms Suman Kukreti, Advocate, GRIDCO
3. Ms N.Sarda, Advocate, GRIDCO
4. Shri Manas Kumar Das, GRIDCO
5. Ms. Madhumita Mishra, GRIDCO
6. Shri G.V.Narayana Rao, APTRANSCO
7. Shri P.S.Rama Rao, APTRANSCO
8. Shri N.Sree Ramachandra Murthy, APTRANSCO
9. Shri V.K.Kishore, APTRANSCO
10. Shri Jaydeb Bandyopadhyam, EREB
11. Shri Mohan Jha, EREB
12. Shri Surendra Prasad., PGCIL

ORDER
(DATE OF HEARING: 22.11.2005)

These petitions have been filed under clause (h) of Section 13 of the Electricity Regulatory Commissions Act, 1998, for adjudication of disputes between the petitioner and the respondent, alleging non-payment of dues to the petitioner for sale and wheeling of electricity, based on agreements between the parties.

2. The learned counsel for the petitioner has submitted that the Commission can adjudicate upon the dispute even though the tariff for sale of electricity and the wheeling charges were not fixed by the Commission. Learned counsel for petitioner further submitted that the dispute raised for recovery of money falls within powers and functions assigned to the Commission under the law.

3. We propose to consider the question of jurisdiction first as the issue has been left open. The parties shall file their written submissions on the question of jurisdiction, latest by 25.12.2005.

4. List on 10 .1.2006.

sd/-
(A.H.JUNG)
MEMBER

sd/-
(BHANU BHUSHAN)
MEMBER

sd/-
(K.N. SINHA)
MEMBER

sd/-
(ASHOK BASU)
CHAIRPERSON

New Delhi dated the 25th November 2005