

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 139/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating station during the FY 2015-16 in respect of Dhauliganga Power Station

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited and Others

Petition No. 140/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating station during the FY 2015-16 in respect of Chamera-III Power Station

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited and Others

Petition No. 141/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating station during the FY 2016-17 in respect of Chamera-III Power Station

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited and Others

Petition No. 142/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating station during the FY 2016-17 in respect of Parbati-III Power Station.

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited and Others

Petition No. 143/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating station during the FY 2016-17 in respect of Sewa-II Power Station

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited and Others

Petition No. 144/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating station during the FY 2014-15 in respect of Rangit Power Station

Petitioner : NHPC Limited

Respondents : West Bengal State Electricity Distribution Company Ltd.& Others

Petition No. 221/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recovery of energy charges in case of shortfall in generation due to reasons beyond control of Teesta Low Dam-III Power Station in FY 2015-16

Petitioner : NHPC Limited

Respondent : WBSEDC Limited

Petition No. 222/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recovery of energy charges in case of shortfall in generation due to reasons beyond control of Teesta Low Dam-III Power Station in FY 2016-17

Petitioner : NHPC Limited

Respondent : West Bengal Electricity Distribution Company Limited

Petition No. 223/MP/2018

Subject : Application under Regulation 31 (6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recovery of energy charges in case of shortfall in generation due to reasons beyond control of Teesta Low Dam-III Power Station in FY 2014-15

Petitioner : NHPC Limited

Respondent : WBSEDC Limited

Petition No. 316/MP/2018

Subject : Application under Regulation 31 (6) and Regulation 54 & 55 of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recovery of shortfall in energy charges due to reasons beyond control of Teesta Low Dam-IV Power Station and recovery of shortfall in capacity charge under Regulation 54 & 55 due to agitation by GJMM in FY 2017-18

Petitioner : NHPC Limited

Respondent : WBSEDC Limited

Date of Hearing : 9.1.2019

Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member

Parties present : Shri Prashant Kaul, NHPC
Shri A.K. Pandey, NHPC
Shri Jitender Kumar, NHPC
Shri Pitush Kumar, NHPC
Shri M.G. Ramachandran, Advocate, WBSEDCL
Ms. Poorva Saigal, Advocate, WBSEDCL
Shri Manab Das, WBSEDCL
Shri Subrata Chowdhury, WBSEDCL
Shri S. Deb Sharma Biswas, WBSEDCL

Record of Proceedings

The representative of the Petitioner submitted that the present Petitions have been filed *inter-alia* to allow the Petitioner to recover the energy charges against the shortfall in generation and for modification of design energy for recovery of allowable

energy charges. The representative of the Petitioner requested for two days time to file information called in Petition Nos.139/MP/2018, 140/MP/2018, 141/MP/2018, 142/MP/2018, 143/MP/2018 and 144/MP/2018.

2. Learned counsel for the Respondent, West Bengal State Electricity Company Limited accepted notice in Petition Nos. 144/MP/2018, 221/MP/2018, 222/MP/2018, 223/MP/2018 and 316/MP/2018 and requested for three weeks time to file reply in Petitions. Learned counsel further submitted that the Petitioner has filed the similar Petition i.e. Petition No. 330/MP/2018 on the same subject and requested to list this petition along with the present petitions.

3. After hearing the representative of the Petitioner and learned counsel for WBSEDCL, the Commission admitted the Petitions and directed to issue notices to the Respondents.

4. The Commission directed the Respondents to file their replies by 1.2.2019, with an advance copy to the Petitioner, who may file its rejoinders, if any, by 18.2.2019.

5. The Commission directed the Petitioner to file the information in Petition Nos. 139/MP/2018, 140/MP/2018, 141/MP/2018, 142/MP/2018, 143/MP/2018 and 144/MP/2018 on or before 14.1.2019 with an advance copy to the Respondents. The Commission directed the Petitioner to file the following information in Petition Nos. 221/MP/2018, 222/MP/2018, 223/MP/2018 and 316/MP/2018 on affidavit, by 31.1.2019 with an advance copy to the Respondents:

7. Planned/forced machine outage data certified by CEA/NRLDC and its correlation with energy generation data vis-à-vis available average inflows during the period of such outages; and

(b) IMD rain fall data to co-relate low inflows.

6. The Commission directed that due date of filing the information, replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

7. The Petitions along with Petition No. 330/MP/2018 shall be listed for hearing in due course for which separate notices will be issued.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**