

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 197/MP/2018**

Subject : Petition under Sections 79(1)(b) and 79 (1)(f) of the Electricity Act, 2003 seeking recovery of the Escalable Energy Charges due to rectification in escalation rates of Domestic Coal falling within the scope of the Power Purchase Agreement dated 08.03.2013 (PTC-PPA) executed between the Petitioner and the Respondent No. 2 and as per the terms of the back to back Power Purchase Agreement executed by PTC with Kerala State Electricity Board (KSEB-PPA) dated 13.6.2013

Date of Hearing : 20.12.2018

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

Petitioner : Bharat Aluminum Company Limited (BALCO)

Respondents : Kerala State Electricity Board (KSEB) and Others

Parties present : Shri Matru Gupta, Advocate for BALCO  
Shri Nishant Kumar, Advocate for BALCO  
Shri Ambuj Dixit, Advocate for BALCO  
Shri Md. Zeyauddin, BALCO

**Record of Proceeding**

Learned counsel for BALCO submitted that Writ Petition is pending before Hon'ble Delhi High Court on applicability of Notification dated 8.12.2017 issued by the Commission, and the same is listed for arguments on 8.1.2019. Learned counsel further requested to keep the matter pending till the disposal of the Writ Petition.

2. The Commission after hearing the submissions of the Petitioner adjourned the matter and directed the Petitioner to inform the Commission about the status of the above said writ petition.
3. The Petition shall be listed for hearing on admission in due course for which separate notice will be issued.

**By order of the Commission**

**Sd/-**

**(T. Rout)  
Chief (Law)**