

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 4/MP/2017

Subject : Petition under Section 79(1) (f) and 79(1) (b) of the Electricity Act, 2003 in connection with the disputes and differences arising under the Power Purchase Agreement dated 18.07.2008 between the Petitioner and BSES Rajdhani Power Limited.

Petitioner : Maithon Power Limited

Respondents : BSES Rajdhani Power Limited and anr.

Petition No. 5/MP/2017

Subject : Petition under Section 79(1)(f) and 79(1)(b) of the Electricity Act, 2003 in connection with the dispute and differences arising under the PPA dated 12.05.2008 between the Petitioner and Tata Power Delhi Distribution Limited.

Petitioner : Maithon Power Limited

Respondents : Tata Power Delhi Distribution Limited and anr.

Date of hearing : **21.4.2022**

Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Parties present : Shri Hemant Sahai, Advocate, MPL
Shri Shreshth Sharma, Advocate, MPL
Shri Nishant Talwar, Advocate, MPL
Shri Buddy A. Ranganathan, Advocate, BRPL
Ms. Ragini Gupta, Advocate, BRPL
Ms. Megha Bajpeyi, BRPL
Shri Dushyant Manocha, Advocate, BRPL
Ms. Ranjana Roy Gawai, Advocate, TPDDL
Ms. Vasudha Sen, Advocate, TPDDL
Shri Shikar Upadhyay, Advocate, TPDDL
Shri. Anurag Bansal, TPDDL
Ms. Shefali Sobti, TPDDL



These cases were called out for virtual hearing.

2. At the outset, the learned counsel appearing for the Respondent BRPL (in Petition No. 4/MP/2017) and the Respondent TPDDL (in Petition No.5/MP/2017) sought time to file the additional information sought by the Commission vide the ROP of the hearing dated 22.10.2021 and also to file their replies on the additional information filed by the Petitioner earlier. Accordingly, the learned counsel for these Respondents prayed for adjournment of the hearing.

3. The learned counsel for the Petitioner requested that the Petitioner may also be granted time to file rejoinder to the replies of the Respondents.

4. Considering the request of the parties, the Commission adjourned the hearing of these petitions.

5. The Petitioner is further directed to furnish the following information in these petitions on or before 17.5.2022, after serving copy on the Respondents:

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- (i) *The Petitioner submitted that during the period between 01.09.2011 to 31.03.2012, the capacity made available to the Respondent is subjected to availability of transmission capacity in STOA, which is cleared on day ahead basis by concerned LDC. In this regard, the claim that emails communicated to Respondent No. 1 (BRPL) for instructed capacity for more than one day shall be considered as DC declared to the respondent, to be substantiated;*
- (ii) *Furnish day wise; capacity applied in STOA, capacity made available in STOA, quantum power submitted in bids of exchange, contracted capacity of DVC LT and contracted capacity of DVC ST during the period between 01.09.2011 to 31.03.2012;*
- (iv) *All the correspondence made with Respondent No.1 (BRPL) regarding the declaration of DC pertaining to period from 01.09.2011 to 31.03.2012;*

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- (v) *The capacity charges levied on TPDDL, BRPL, DVC LT and DVC ST and capacity charges recovered thereof and the revenue realized from sale of energy in power exchanges during the period between 01.09.2011 to 31.03.2012;*
- (vi) *The segregation of transmission charges from generating station / source to ISTS point in ER and from ISTS point of ER to the periphery of Delhi for the contracted capacity with the Respondent No. 1(BRPL) and Respondent (TPDDL) during the period between 1.4.2011 to 31.8.2011;*
- (vii) *Furnish the month wise segregation of DC pertaining to alternative source and unit 1 of Petitioner (MPL) against the contracted capacity during the period 01.09.2011 to 31.03.2012.*

6. The Respondents are directed to file their replies, in these matters, by 7.6.2022, after serving copy on the Petitioner, who may file its rejoinder, if any, by,



18.6.2022. The parties shall ensure the completion of pleadings within the due dates mentioned and no further extension of time or adjournment shall be granted.

7. These Petitions shall be listed for final hearing in due course for which separate notice will be issued.

By order of the Commission

Sd/-
(B. Sreekumar)
Joint Chief (Law)

