

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.147/MP/2021**

- Subject : Petition under Section 79 (1) (b), 79 (1)(f) and 79 (1)(k) of the Electricity Act 2003, read with Regulation 6.3B of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) (Fourth Amendment) Regulations, 2016 seeking payment of the outstanding amount on account of illegal deductions made by TANGEDCO from the Monthly Bills raised by the Petitioner herein and for quashing the impugned letters dated 19.1.2021, 4.2.2021 and 3.3.2021.
- Date of Hearing : **9.10.2023**
- Coram : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : Bharat Aluminium Company Limited (BALCO)
- Respondents : Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) and 5 Ors.
- Parties Present : Shri Buddy Ranganadhan, Advocate, BALCO  
Shri Nishant Kumar, Advocate, BALCO  
Ms. Harshita Sinha, Advocate, BALCO  
Ms. Aparajita, Advocate, BALCO  
Shri Ayush Kumar, Advocate, BALCO  
Shri Animesh Kumar, Advocate, BALCO  
Shri S Vallinayagam, Advocate, SLDC –TANTRANSCO  
Ms. Anusha Nagarajan, Advocate, TANGEDCO  
Ms. Aakanksha Bhola, Advocate, TANGEDCO  
Shri Venkateshan M, SRLDC  
Shri Alok Mishra, SRLDC

**Record of Proceedings**

At the outset, learned counsel for the Respondent, TANGEDCO, submitted that the Petitioner has filed a voluminous rejoinder to the Respondent, SLRDC's reply only recently and therefore, TANGEDCO may be permitted some time to examine this rejoinder and seek necessary instruction thereon. Learned counsel appearing on behalf of Respondent No.4, SLDC-TANTRANSCO submitted that Respondent has not been mapped on the e-filing portal of the Commission by Petitioner and resultantly could not file/upload its reply in the matter. Accordingly, the learned counsel for the Respondent, SLDC-TANTRANSCO sought liberty to file a reply in the matter.

2. The representative of Respondent No.5, SRLDC, submitted that the Commission, by Record of Proceedings for the hearing dated 14.7.2023 has asked the Respondent to remain present during the course of the next date of hearing to

assist the Commission in the matter. The representative submitted that SRLDC has already filed a reply in the matter. He further highlighted the difference between the Scheduling Procedure for Central Generating station or ISGS, whose tariff is either determined or adopted by the Commission and has 100% tied-up capacity, and the Regional Entities like BALCO where the entire generation capacity is not tied-up and the generator has multiple fixed MW contracts with various commercial considerations and technical conditions. The representative of SRLDC further submitted that, in view of the various complexities involved in the latter case, it was decided to identify a transaction-wise entity that can submit the mutually agreed quantum to RLDC's scheduling portal (WBES) for the purpose of scheduling, and accordingly, the applicant who has obtained LTA/MTOA from CTUIL (or trader in the case of STOA) is identified and given access rights to the scheduling portal of RLDCs. The representative of SRLDC added that in the present case, there were two 100 MW transactions from BALCO to TANGEDCO, and BALCO was the applicant for both transactions, and accordingly, the rights for punching mutually agreed quantum in the scheduling portal were given to BALCO. BALCO was communicating the Declared Capacity for the said contracts to TANGEDCO through e-mails, and TANGEDCO was communicating their requirements to BALCO with its acceptance/comments through e-mails. The representative submitted that it would be difficult for RLDCs to inquire whether the value entered was mutually agreed upon or not, and that, as held by the Commission, RLDCs as such do not have the power to adjudicate any dispute arising in relation thereto. He further clarified that SRLDC/WRLDC did not revise the schedule punched in by BALCO in view of grid requirements as there was no situation of grid disturbance/transmission constraints during the concerned period for the above two transactions. Similarly, SRLDC/WRLDC also did not revise the schedule using suo-motu provisions under Regulations 6.5.14 and 6.5.20 of the Grid Code for the above two transactions for the concerned period, and SLRDC/WRLDC issued the schedules based on the quantum submitted by BALCO, which was deemed to be mutually agreed upon between the parties. The representative also sought exemption from personal appearance in the matter from the next date of the hearing.

3. Considering the above, the Commission directed the Petitioner to ensure that Respondent, SLDC-TANTRANSCO is properly mapped on the e-filing portal, and the Respondent may, thereafter, file its reply within three weeks with a copy to the Petitioner who may file its rejoinder within two weeks. The Commission also excused the officers of Respondent No. 5's personal appearance in the matter from the next hearing.

4. The Petition will be listed for hearing on **20.12.2023**.

**By order of the Commission**  
**Sd/-**  
**(T.D. Pant)**  
**Joint Chief (Law)**