

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.28/MP/2022

- Subject : Petition under Regulation 13 “Power to issue directions” of the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 in the matter of dealing with persistent default in payment of deviation charges applicable under the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014 and Regulation 40 “Removal of Difficulty” of Central Electricity Regulatory Commission (Fees and Charges of Regional Load Despatch Centre and other related matters) Regulations, 2019 by regional entities and other associated issues.
- Date of Hearing : **20.9.2023**
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : National Load Despatch Centre (NLDC)
- Respondents : Gujarat State Load Despatch Centre and 252 Ors.
- Parties Present : Shri Gajendra Sinh, NLDC
Shri Debajyoti, NLDC
Shri Hemant Singh, Advocate, Green Infra
Shri Lakshyajit Singh, Advocate, Green Infra
Shri Harshit Singh, Advocate, Green Infra
Ms. Lavanya Panwar, Advocate, Green Infra
Shri Ayush Raj, Advocate, Green Infra

Record of Proceedings

The Representative of the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking necessary directions of the Commission in the matter of dealing with persistent default in payment of deviation charges under the provisions of the Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014 (‘DSM Regulations’) by the regional entities.

2. In response to the specific query of the Commission regarding the major defaulters, the representative of the Petitioner pointed out that the utilities of Sikkim, Assam, Manipur, Tripura, Jharkhand, Bihar, etc. are the major defaulters in payment of deviation charges.

3. Learned counsel for the Respondent Nos. 41, 42 & 219 submitted that the Respondents have already paid all the outstanding deviation charges and late



payment surcharge thereof and have also opened the Letter of Credit for such charges.

4. The representative of the Petitioner pointed out that except for the above Respondents, no other Respondent has filed any reply in the matter.

5. Considering the above, the Commission deemed it appropriate to afford one last opportunity to the Respondents to file their respective reply/written submissions, if any, within three weeks. The Petitioner may also file its written submissions, if any, in response thereof, within three weeks thereafter.

6. Subject to the above, the Commission reserved the matter for order.

By order of the Commission

**SD/-
(T.D. Pant)
Joint Chief (Law)**