

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 366/MP/2022

Subject : Petition under Section 79(1)(f) of the Electricity Act 2003 seeking adjudication of dispute with NTPC Limited in respect of its National Thermal Power Plant Stage-II situated at Dadri.

Petitioner : BRPL

Respondent : NTPC

Petition No. 367/MP/2022

Subject : Petition under Section 79(1)(f) of the Electricity Act 2003 seeking adjudication of dispute with NTPC Limited in respect of its National Thermal Power Plant Stage-II situated at Dadri.

Petitioner : BYPL

Respondent : NTPC

Date of Hearing : **15.5.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Shri Buddy A Ranganadhan, Advocate, BRPL&BYPL
Shri Rahul Kinra, Advocate, BRPL&BYPL
Shri Aditya Gupta, Advocate, BRPL&BYPL
Shri Girdhar Gopal Khattar, Advocate, BRPL&BYPL
Shri Venkatesh, Advocate, Advocate, NTPC
Shri Siddharth Nigotia, Advocate, NTPC
Ms. Simran Saluja, Advocate, NTPC

Record of Proceedings

During the hearing, 'on admission', the learned counsel for the Petitioner, BRPL & BYPL submitted that the present petition has been filed seeking directions on the Respondent NTPC to refund the capacity charges paid by the Petitioners, in respect of National Thermal Power Plant Stage-II, for the period from from 16.11.2021 to 15.12.2021, when the station remained closed, in terms of the directions/order of the Commission for Air Quality Management (CAQM). He also submitted that the Declared capacity for schedule as well as net scheduling of power from the station was shown as 'nil' as per data available on the NRLDC website for the said period.



2. The learned counsel for the Respondent NTPC accepted notice and prayed for time to file its reply, in these matters.
3. The Commission, after hearing the learned counsel for the parties, 'admitted' the petitions. The Respondent is permitted to file its reply, on or before **7.6.2023**, after serving copy on the Petitioner, who may, file its rejoinder, if any, by **21.6.2023**. The parties shall complete the pleadings in the matter, within the due dates mentioned and no extension of time shall be granted.
4. These petitions shall be listed for hearing on **8.9.2023**.

By order of the Commission

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

