CENTRAL ELECTRICITY REGULATORY COMMISSION NEW DELHI

Petition No. 164/MP/2023

Subject : Petition under Regulation-44(6) of CERC (Terms and Conditions of

Tariff) Regulations, 2019 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during the 2021-22 in respect of

Chamera-III Power Station.

Petition No. 166/MP/2023

Subject : Petition under Regulation-44(6) of CERC (Terms and Conditions of

Tariff) Regulations, 2019 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during the 2021-22 in respect of

Chamera-II Power Station.

Petitioner : NHPC

Respondents : PSPCL and 12 others

Date of Hearing: 12.2.2024

Coram : Shri Jishnu Barua, Chairperson

Shri Arun Goyal, Member

Shri Pravas Kumar Singh, Member

Parties Present: Shri Rishabh Jain, Advocate, NHPC

Shri S.K. Sarkar, Advocate, NHPC

Shri. S.K. Meena, NHPC Shri. Bikrant Paswan, NHPC

Shri Anand Ganesan, Advocate, PSPCL

Shri Amal, Advocate, PSPCL

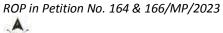
Shri Sachin Dubey, Advocate, BSES Discoms Shri Mohit Jain, Advocate, BSES Discoms

Ms. Jaya, Advocate, BSES Discoms

Record of Proceedings

During the hearing, the learned counsel for the Petitioner, submitted that in terms of the Commission's directions, the Petitioner had addressed a letter to the CEA for certification of the inflow data, but no response has been received to date.

2. On a specific query of the Commission, as to whether letter for certification of the inflow data was addressed to the CWC, the learned counsel for the Petitioner replied in the negative. Accordingly, the Commission observed that the Petitioner should take steps to obtain the certification of the inflow data from the CWC.



- 3. The learned counsel for the Respondent, PSPCL, however, submitted that in terms of the 2019 Tariff Regulations, if the hydro generating station is unable to achieve its design energy for a continuous period of four (4) years, then the said generating station has to get its design energy re-rated by the CEA.
- 4. The Commission, after hearing the learned counsel for the parties, permitted the Petitioner to place on record the copy of the letter addressed to the CWC for certification of the inflow data, in respect of the generating station and the response of the CWC, if any, on or before **5.4.2024**.
- 5. The Petitions will be listed for hearing on **19.4.2024.**

By order of the Commission

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

ROP in Petition No. 164 & 166/MP/2023