

**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.

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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)**

