

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 373/MP/2018

Subject : Petition invoking Section 79(1)(b) and Section 79(1)(f) of the Electricity Act, 2003, read with Regulation 111 of the CERC (Conduct of Business) Regulations, 1999 seeking adjudication of dispute between the Petitioner and Damodar Valley Corporation.

Petitioner : BYPL

Respondent : DVC

Date of Hearing : **29.1.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Shri Aditya Ajay, Advocate, BYPL
Ms. Jaya, BYPL
Ms. Srishti Shirsa, Advocate, DVC
Ms. Shirsa Saraswati, Advocate, DVC
Ms. Srishti Khindaria, Advocate, DVC

Record of Proceedings

Since the order in the Petition (which was reserved on 18.10.2022) could not be issued prior to Member (Technical), who formed part of the Coram, leaving office, the matter has been re-listed for hearing.

2. During the hearing, the learned counsel for the Petitioner sought permission to file its written submissions in the matter.
3. The learned counsel for the Respondent sought permission to place on record the annexures (h) and (i) of its reply, which were inadvertently not enclosed earlier.
4. The Commission, after hearing the parties, directed the Respondent to file the said Annexures (h) and (i) within two days after serving a copy to the Petitioner: The Commission also directed the Respondent to submit the following additional information on or before **19.2.2024**, after serving copy to the Petitioner:
 - (a) Whether the proportionate P&G liability (towards 60% of the approved P&G amount) till March, 2009 was recovered from the Petitioner? If so, the details thereof, with supporting documents.

(b) The reason(s) for not impleading the Petitioner as a Respondent in the tariff Petitions (Petition Nos. 138/GT/2013 and 115/GT/2015) filed earlier before this Commission, in respect of this project.

5. The Petitioner is permitted to file its response/written submissions in the matter on or before **5.3.2024**, after serving a copy to the Respondent, who may, if need be, file its response by **11.3.2024**.

6. Accordingly, based on the consent of the parties, the order in the Petition was reserved.

By order of the Commission

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