

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

- 1. Shri Ashok Basu, Chairman**
- 2. Shri K.N. Sinha, Member**

**Petition No.87/2003**

**In the matter of**

Application for grant of inter-state trading licence

**And in the matter of**

The Tata Power Company Limited

**....Petitioner**

**The following were present**

1. Shri U. Dhar, MD, Powerlinks
2. Shri S.K. Jain, Executive, Tata Power
3. Shri M.S. Dave, AGM, Tata Power
4. Shri S. Das, Sr, Manager, Tata Power

**ORDER  
(DATE OF HEARING : 18.12.2003)**

The applicant has stated that it is desirous of setting up a Special Purpose Vehicle for the purpose of undertaking power trading on all-India basis, to be incorporated shortly under the Companies Act as a subsidiary company of the applicant. The applicant, who appears to be the promoter, has not yet decided on the name of the company proposed to be incorporated and as such the application has been made by the present applicant. The following substantive prayers are made in the application:

- “(a) Accept this License Application and initiate the process for grant of trading license in terms of Section 15 to the proposed SPV, after it is incorporated and full details are furnished to the Hon’ble Commission, and
- (b) Issue Trading License to the proposed SPV for the area of supply earmarked in Annexure D after the proposed SPV is incorporated and full details are furnished to the Hon’ble Commission.”

2. In our opinion the licence to trade in power cannot be granted in favour of the third parties. In view of the fact that the person in whose favour licence is sought is not incorporated and is not in existence, we feel that the application is pre-mature and hence not maintainable. Accordingly application is dismissed.

**Sd/-  
(K.N. SINHA)  
MEMBER**

**Sd/-  
(ASHOK BASU)  
CHAIRMAN**

New Delhi dated the 22<sup>nd</sup> December, 2003