

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. **Shri Ashok Basu, Chairperson**
2. **Shri Bhanu Bhushan, Member**

Petition No.151/2006

In the matter of

Petition under Section 79 of the Electricity Act, 2003 read with Regulations 12 and 13 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004.

And in the matter of

Himachal Pradesh State Electricity Board

.... **Petitioner**

Vs

1. Satluj Jal Vidyut Nigam Limited, Shimla
2. Punjab State Electricity Board, Patiala
3. Haryana Power Generation Corporation Limited, Panchkula
4. Delhi Transco Ltd., New Delhi
5. Jaipur Vidyut Vitran Nigam Ltd., Jaipur
6. Ajmer Vidyut Vitran Nigam Ltd., Jaipur
7. Jodhpur Vidyut Vitran Nigam Ltd., Jaipur
8. Power Development Department, Govt.of J&K, Jammu
9. Engineering Department, Chandigarh Administration, Chandigarh
10. Uttar Pradesh Power Corporation Ltd., Lucknow
11. Principal Secretary (Power), Govt of Himachal Pradesh, Shimla...**Respondents**

The following were present:

1. Shri M.G. Ramachandran, Advocate, HPSEB
2. Shri Anand K. Ganesan, Advocate, HPSEB
3. Ms Swapna Seshadri, HPSEB

**ORDER
(DATE OF HEARING: 13.2.2007)**

The present petition raises the question of sharing of capacity charges by the beneficiaries of Nathpa Jhakri Hydro-electric Project, jointly owned by the Central Government and the Government of Himachal Pradesh.

2. We have heard Shri M.G. Ramachandran, Advocate for the petitioner on admission. Admit. Learned counsel for the petitioner has proposed to implead Member-Secretary, Northern Regional Power Committee as a respondent. The petitioner may file the revised memo of parties to implead Member-Secretary, NRPC.

3. The petitioner is directed to serve a copy of the petition on the respondents by 23.2.2007 along with copy of this order. A confirmation shall be filed by the petitioner latest by 2.3.2007.

4. The respondents may file their reply by 20.3.2007, with a copy to the petitioner, who may file its rejoinder, if any, latest by 30.3.2007.

5. While arguing for admission of the petition, Shri Ramachandran heavily relied upon Ministry of Power letter No. 13/12/2002-H-II dated 26.3.2003 on the subject of allocation of power from 1500 MW Nathpa Jhakri Hydroelectric Power Project. We direct the petitioner serve a copy of the petition along with copy of this order to the Secretary, Ministry of Power. The Ministry may advise on the scope of para 3 of the said letter dated 26.3.2003, particularly the authority competent to re-allocate power declared surplus by any State.

6. A copy of the order shall also be sent to the Secretary, Ministry of Power separately.

7. List this petition for further hearing on 24.4.2007.

sd-/
(BHANU BHUSHAN)
MEMBER

sd-/
(ASHOK BASU)
CHAIRPERON

New Delhi dated the 13th February, 2007