

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

1. **Shri Bhanu Bhushan, Member**
2. **Shri R. Krishnamoorthy, Member**

**Review Petition No. 9/2007  
in  
Petition No. 163/2004**

**In the matter of**

Review of order dated 30.11.2006 in Petition no.163/2004 determining the tariff for Tanda T.P.S (440 MW) for the period 1.4.2004 to 31.3.2009

**And in the matter of**

NTPC Limited, New Delhi

**....Petitioner**

Vs

Uttar Pradesh Power Corporation Limited, Lucknow

**... Respondent**

**The following were present**

1. Shri S N Goel, NTPC
2. Shri Manoj Saxena, NTPC
3. Shri S. Saran, NTPC
4. Shri T.K. Srivastava, UPPCL

**ORDER  
(DATE OF HEARING : 5.7.2007)**

The application has been made for review of order dated 30.11.2006 in Petition No.163/2004, whereby the Commission had determined tariff in respect of Tanda Thermal Power Station (the generating station) for the period 1.4.2004 to 31.3.2009.

2. Shri T.K. Srivastava appearing for the respondent pointed out that the Appellate Tribunal for Electricity in its judgment dated 6.6.2007 in Appeals No.205 of 2005 and 9 of 2007, filed against the Commission's order dated 24.10.2005 in Petition No.8/2005

determining additional capitalization and the revised fixed charges in respect of the generating station for the period 31.3.2004 has remitted the matter to the Commission for reconsideration. We find that there are certain other judgments of the Appellate Tribunal which may have a bearing on determination of tariff for the generating station.

3. Accordingly, we direct that this petition be kept pending for the time being, to be reviewed after two months when the modalities for implementation of the various decisions of the Appellate Tribunal in the appeals filed by NTPC or the State utilities are likely to be finalised.

**Sd/-  
(R. KRISHNAMOORTHY)  
MEMBER**

**New Delhi dated the 16<sup>th</sup> July 2007**

**Sd/-  
(BHANU BHUSHAN)  
MEMBER**