

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

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

Petition No. 86/2007

In the matter of

Review of order dated 20.11.2006 in Petition No. 120/2005-determination of tariff for Kahalgaon STPS for the period from 1.4.2004 to 31.3.2009.

And in the matter of

M.P. Power Trading Company Limited, Jabalpur	..Petitioner
Vs	
National Thermal Power Corporation Ltd. and Others	Respondents

The Following was present:

Shri Pardeep Mishra, Advocate, MPPTCL

**ORDER
(DATE OF HEARING: 25.9.2007)**

Heard Shri Pardeep Mishra, Advocate for the petitioner.

2. Admit subject to just and fair exceptions. The petitioner is directed to serve copy of the application for review as also the application for condonation of delay on the respondents latest by 5.10.2007. The respondents may file their reply by 31.10.2007 with advance copy to the petitioner. The petitioner may file its rejoinder, if any, latest by 15.11.2007.

3. It bears notice that the application for review has been made limited to two aspects, namely, FERV/Extra Rupee Liability during the period 2001-04, and its apportionment between debt and equity, based on the judgment of the Appellate Tribunal for Electricity dated 4.10.2006 in Appeal No. 135/2005 and other related

appeals. The issue may arise in certain other generating stations owned by the first respondent. Therefore, in order to avoid multiplicity of proceedings, the decision arrived at in the present case may govern other similar cases.

4. List on 27.11.2007. Meanwhile, the petitioner shall deposit the balance filing fee of Rs. 80,000/- within two weeks of this order.

Sd/-
(R.KRISHNAMOORTHY)
MEMBER

New Delhi dated the 25th September 2007

sd/
(BHANU BHUSHAN)
MEMBER