

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

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

**Petition No.15/2007
(Suo motu)**

In the matter of

Revision of UI vector

And in the matter of

Power Grid Corporation of India Ltd ... Petitioner

ORDER

The Commission by its notification No.L-7/25(5)/2003-CERC dated 26.4.2007 had amended Regulations 24 and 42 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004, revising UI rates effective from 30.4.2007. Feeling aggrieved by the said notification dated 26.4.2007 Uttar Pradesh Power Corporation Ltd filed a writ petition No.3014/2007 before the Lucknow Bench of Hon'ble Allahabad High Court. The Hon'ble High Court by its order dated 21.5.2007 stayed the operation of the said notification till the second week of July 2007.

2. The Commission had filed Civil Appeal No.2907 of 2007 before the Hon'ble Supreme Court against the order passed by the Hon'ble High Court, The Hon'ble Supreme Court by its order dated 2.7.2007 has set aside the order passed by the Hon'ble High Court on 21.5.2007 and has vacated the interim stay.

3. Meanwhile, in view of the order passed by the Hon'ble High Court, the Commission by its order dated 6.6.2007 had advised that UI will be charged and paid for at the rates applicable prior to 30.4.2007. It was also advised that a parallel set of UI accounts should be prepared based on notification dated 26.4.2007 for the purpose of record and sending to the utilities concerned for their information only, and recovery and payments thereof were subject to the outcome of the proceedings before the Hon'ble High Court.

4. In view of setting aside of the interim order of the Hon'ble High Court by the Hon'ble Supreme Court and vacation of interim stay, it is hereby advised that UI rates as notified under the notification dated 26.4.2007 shall be applicable, subject to final outcome of the decision of the Hon'ble High Court in the petition pending before that Hon'ble Court.

Sd/-
(R. KRISHNAMOORTHY)
MEMBER

Sd/-
(BHANU BHUSHAN)
MEMBER

New Delhi dated the 9th July, 2007