

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram**

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

**Petition No. 16/2006  
With  
IA No. 5/2007**

**In the matter of**

Dispute relating to apportionment of capacity charges of three NTPC Stations among the beneficiaries for the month of October 1998.

**In the matter of**

Grid Corporation of Orissa Ltd., Bhubaneswar .....Petitioner

**V e r s u s**

1. NTPC Ltd, Patna.
2. Eastern Regional Electricity Board, Kolkata.
3. Bihar State Electricity Board, Patna.
4. West Bengal State Electricity Board, Kolkata.
5. Damodar Valley Corporation, Kolkata.
6. Jharkhand State Electricity Board, Ranchi.
7. Power Department, Govt. of Sikkim, Gangtok .....Respondents

**The following were present:**

1. Shri R.K. Mehta, Advocate, GRIDCO.
2. Shri B.P. Mohapatne, GRIDCO.
3. Shri Mohan Jha, ERPC.
4. Shri Ashok Pasijra, Tata Steel/FACOR.
5. Shri R.M. Patnaik, Advocate, Tata Steel/FACOR.
6. Mrs. Happy Patnaik, Tata Steel.
7. Shri M.V. Rao, FACOR.
8. Shri D. Kar, NTPC.

9. Shri S.K. Samui, NTPC.
10. Shri Vivake Kumar, NTPC.
11. Shri S.N. Goel, NTPC.
12. Shri M.G. Ramchandran, Advocate, NTPC.

**ORDER**  
**(DATE OF HEARING: 11.1.2007)**

**IA No. 5/2007**

The interlocutory application is made by Ferro Alloys Corporation Limited for impleadment, as a consumer of the petitioner, Grid Corporation of India Limited. Heard Shri Patnaik, Advocate for the applicant. In our considered view, the applicant is the proper party, since the tariff charged by NTPC from the petitioner is borne by its consumers. Therefore, impleadment is allowed. IA, accordingly, stands disposed of.

**Petition No. 16/2006**

2. The application has been made under clause (f) of sub-section (1) of Section 79 of the Electricity Act for settlement of disputes between the petitioner and the first respondent, relating to the month of October, 1998.

3. We have heard the learned Counsel for the parties. The parties are given two months time to make efforts for resolution of the dispute through mutual discussion.

4. Learned Counsel for Tata Iron & Steel Company Limited and Ferro Alloys Corporation Limited has placed on record a copy of the minutes of the meeting

taken by the Secretary, Ministry of Power on 25.8.1999, to discuss tariff for NTPC power to export-oriented alloys units in Orissa. In view of the decisions recorded in the record of the discussion, Tata Iron & Steel Company Limited and Ferro Alloys Corporation Limited should also be involved in these efforts.

5. The petitioner is directed to place on record the outcome of these efforts latest by 20.3.2007 on affidavit. The office shall process the petition for further hearing thereafter.

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

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

**Dated, New Delhi the 15<sup>th</sup> January, 2007**