

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. Dr. Pramod Deo, Chairperson
2. Shri R. Krishnamoorthy, Member
3. Shri V.S.Verma, Member

**Petition No. 113/2009
(Suo Motu)**

In the matter of

Default in payment of Unscheduled Interchanges (UI) charges for the energy drawn in excess of the drawal schedule by the Karnataka Power Transmission Corporation Ltd.

And in the matter of

1. Karnataka Power Transmission Corporation Ltd.
2. Southern Regional Load Despatch Centre

..... Respondents

Following were present:

1. Shri Anand K Ganesan, Advocate, KPTCL
2. Shri P. Bhaskara Rao, SRLDC

**ORDER
(Date of Hearing 8.9.2009)**

It was observed from the report dated 8.6.2009 of Southern Regional Load Despatch Centre (SRLDC) that substantial amount of UI charges remained unpaid by the Karnataka Power Transmission Corporation Ltd. (KPTCL), as per the following details:

S. No.	Month	Amount payable at the beginning of the Month (Rs. in Crore)
(a)	March	60.14
(b)	April	69.91
(c)	May	53.57
(d)	June	22.82

2. Accordingly, show cause notice was issued to KPTCL as to why penalty under section 142 of the Electricity Act, 2003 (the Act) be not imposed on it for non-

compliance of the provisions of the Grid Code and UI regulations which mandate timely payment of UI charges.

3. KPTCL vide its reply under affidavit dated 21.7.2009 submitted that UI charges were required to be paid by the distribution companies who were being diligently reminded by KPTCL. It was also contended that as the payments towards UI charges were liable to be paid by the DISCOMs and not KPTCL, it may not be appropriate to impose penalty on KPTCL. The Commission in the course of its hearing of the matter on 28.7.2009 directed KPTCL to furnish the break-up regarding payment of UI charges for the months of March to June 2009 against each of the distribution company operating in the State of Karnataka, along with the details of payments made by each of them against the outstanding amount. KPTCL has filed the details on 31.8.2009. Summary of the details furnished by KPTCL is as under:

(Rs. in crs.)

Month	Total UI Amount due towards Karnataka	Breakup figure distribution company wise					
		BESCOM	MESCOM	CESC	HESCOM	GESCOM	Total
March, 09	60.14	0.00	0.00	3.57	35.99	20.58	60.14
April, 09	69.91	3.34	0.64	0.70	37.65	27.58	69.91
May, 09	53.57	0.00	0.00	0.00	32.60	20.97	53.57
June,09	22.82	0.00	0.00	0.00	22.33	0.49	22.82
July,09	10.97	0.00	0.00	0.00	0.00	0.00	10.97

4. Subsequently, it has also been reported vide SRLDC letter dated 14.9.2009 that KPTCL had paid the interests amounting to Rs. 2.44 crores on 9.9.2009 and the amount outstanding against KPTCL as on 14.9.2009 was Nil.

5. Based on the above, we consider it appropriate to close the proceedings and discharge KPTCL of the notice issued vide Commission's order dated 29.6.2009.

6. We also make it clear that we have not expressed any opinion on KPTCL's submission regarding the agency responsible for settlement of UI dues.

7. With this Petition No. 113/2009 stands disposed.

sd/-
(V. S. VERMA)
MEMBER

sd/-
(R. KRISHNAMOORTHY)
MEMBER

sd/-
(DR. PRAMOD DEO)
CHAIRPERSON

New Delhi, dated the 18th December 2009