

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram

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

**I.A.No. 6/2009 in
Petition No. 88/2008
(Suo-motu)**

In the matter of

Non-compliance of the provisions of Central Electricity Regulatory Commission (Fixation of Trading Margin) Regulations, 2006.

And in the matter of

PTC India Ltd., New Delhi

..Respondent

Following were present:

1. Shri Amit Kapoor, Advocate, PTC
2. Shri Bimal Dhar, PTC

**ORDER
(DATE OF HEARING: 12.2.2009)**

The Commission by order dated 19.12.2008 had directed the respondent to rectify the position for the future as regards charging of trading margin by entering into revised PPAs with the concerned utilities in Eastern Region for the electricity imported from Bhutan. A compliance of the direction was to be reported by the respondent by 31.12.2008.

2. The respondent filed an interlocutory application with a request for extension of time by 5 weeks from 29.12.2008 for furnishing the compliance report. The request made was allowed and compliance of the direction was to be reported latest by 5.2.2009.

3. Meanwhile, the respondent filed appeal before the Appellate Tribunal against the said order dated 19.12.2008. The appeal was heard on 2.2.2009. The respondent requested the Appellate Tribunal for stay of the said order dated 19.12.2008. The Appellate Tribunal observed that the respondent may approach the Commission for extension of time.

Accordingly, the present application for further extension of time “till 4 (four) weeks the Hon’ble ATE decides upon the issue under appeal” has been made. The reason given is that the decision of the Appellate Tribunal will have a bearing on the compliance to be reported.

3. Heard learned counsel for the respondent.

4. The respondent, at its own request, has already been granted 5 weeks time for compliance of the direction. However, in view of the fact that the Appellate Tribunal is already seized of the matter and the appeal has been fixed on 17.2.2009 for pronouncement of the judgment, the respondent is allowed two weeks time from the date of this order for reporting compliance of the directions contained in the Commission’s order dated 19.12.2008. A report shall be filed by the respondent accordingly.

5. With the above, IA stands disposed of.

Sd/-
(S.JAYARAMAN)
MEMBER

New Delhi dated the 12th February 2009

sd/-
(R.KRISHNAMOORTHY)
MEMBER

sd/-
(DR. PRAMOD DEO)
CHAIRPERSON