

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

- 1. Dr. Pramod Deo, Chairperson**
- 2. Shri S. Jayaraman, Member**
- 3. Shri V.S.Verma, Member**

**Petition No. 310/2009  
(Suo Motu)**

**In the matter of**

Remittance of Congestion Revenue by Indian Energy Exchange

**And in the matter of**

Indian Energy Exchange

..... **Respondent**

**ORDER**

It came to the notice of the Commission that congestion revenue collected by the respondent was not being deposited with NLDC. Accordingly, the respondent was directed vide letter dated 18.5.2009 to transfer to NLDC the congestion revenue collected till then and any amount collected thereafter. A format was also prescribed for submission of information to the Commission and NLDC. This was pursued by a reminder dated 13.8.2009. Subsequently, NLDC has submitted the following information regarding the congestion revenue which was required to be transferred by the respondent to the congestion revenue account maintained by it.

<b>Month</b>	<b>Indian Energy Exchange (IEX)</b>	
	<b>Amount in Rs.</b>	<b>Transferred to NLDC Congestion Revenue A/c</b>
Upto 31 <sup>st</sup> May 09	33,22,25,390.53	Yes
June 09	57,02,36,918.60	Yes
July 09	27,40,38,571.64	Yes
Aug 09	63,61,39,110.00	No
Sep 09	13,97,15,399.35	No
Oct 09	9,89,32,575.19	No

2. Recently the respondent has transferred a sum of Rs. 88,14,07,817.92 towards congestion revenue from 1.8.2009 to 30.11.2009 to NLDC vide its letter dated 4.12.2009. Details of the revenue transferred are as under:

### **Congestion Revenue Fund**

#### **Period from 1.8.2009 to 30.11.2009**

August	63,61,39,110.48
September	13,97,15,399.13
October	9,89,32,574.95
November	66,20,733.36
<b>Grand Total</b>	<b>88,14,07,817.92</b>

3. The respondent has vide its letter dated 20.12.2009 also forwarded to NLDC cheques for a sum of Rs. 2,03,49,663/- towards dividend earned on the congestion charges revenue upto 30.11.2009.

4. From the above, it is seen that there has been inordinate delay on the part of the respondent in transferring the congestion revenue to NLDC despite reminders from the Commission. The delay from May 2009 to December 2009 on the part of the respondent, in transferring the congestion revenue to NLDC amounts to contravention of the direction issued by the Commission. The respondent is, therefore, directed to show cause, latest by 20.1.2010 as to why penalty under section 142 of the Electricity Act, 2003 be not imposed on it for contravention of the Commission's directions.

5. The respondent is also directed to ensure transfer of congestion revenue to NLDC promptly without any delay in future.

6. List the case on 4.2.2010 for further direction.

sd/-  
**(V. S. VERMA)**  
**MEMBER**

sd/-  
**(S. JAYARAMAN)**  
**MEMBER**

sd/-  
**(DR. PRAMOD DEO)**  
**CHAIRPERSON**

**New Delhi, dated the 11<sup>th</sup> January 2010**