

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Record of Proceedings

Petition No.9/2009

Subject: Payment of interest on the excess amount recovered as per order dated 23.10.2000 and order dated 30.9.2008 in Petition No. 10/2000 and order dated 23.3.2007 in Petition No. 6/2004 in respect of wheeling charges payable to GRIDCO for wheeling of Central Sector Power from NTPC power stations in Eastern Region through their system to MPSEB/MP Power Trading Company Ltd.-Dispute resolution under Section 79 (1) (f) read with Section 142 of the Electricity Act, 2003

Coram : Dr. Pramod Deo, Chairperson
: Shri R.Krishnamoorthy, Member
: Shri V.S.Verma, Member

Date of Hearing : 9.7.2009

Petitioner : M.P.Power Trading Co. Ltd., Jabalpur

Respondents : Grid Corporation of Orissa Ltd., Bhubaneswar
Orissa Power Transmission Corporation Ltd., Bhubaneswar

Parties present : Shri Sakesh Kumar, Advocate for the petitioner

It has been alleged that Respondent No.1 has not complied with the Commission's order dated 23.3.2007 in Petition No. 6/2004 and the order dated 30.9.2008 in Petition No. 10/2000, as regards the excess amount retained by it and continues to bill the petitioner @ 17.5 paise/kwh instead of the rates decided by the Commission.

2. Learned counsel for the petitioner informed that as regards the order dated 30.9.2008 in Petition No. 10/2000, there is an interim order by the Hon'ble High Court of Orissa. The case is listed for hearing on 31.7.2009 and the clear picture would emerge thereafter.

3 As regards the order dated 23.3.2007 in Petition No. 6/2004, the learned counsel submitted that the Hon'ble Appellate Tribunal for Electricity had dismissed the appeal of the respondent No.1 on the previous day and the orders of the Commission had attained finality.

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4. The Commission directed the learned counsel for the petitioner to file copies of the Hon'ble High Court of Orissa and Appellate Tribunal orders.

5. The petition shall be listed for further directions on 8.9.2009. In the meantime, the petitioner is directed to serve copy of the petition on the respondent, who may file its response latest by 31.8.2009.

Sd/= **(K.S.Dhingra)**
Chief (Legal)