

**BEFORE THE CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Review Petition No. 16/2000 in Petition No. 2/99

Present

1. Shri S.L. Rao, Chairman
2. Shri DP. Sinha, Member
3. Shri G.S. Rajamani, Member
4. Shri A.R. Ramanathan, Member

In the matter of:

Review petition by the Grid Corporation of Limited
Orissa implementation of ABT Order dated 4.1.2000 in Eastern on
Region

AND

In the matter of:

Grid Corporation of Orissa Ltd., Registered
Office, Janapath Bhubaneswar Telephone
0674^11127 Fax-0074^18352

Petitioner

Vs

Union of India, Ministry of Power and others.

Respondents

Following were present:

- | | | | |
|-----|-----|---------------------------------------|--------------------|
| 1. | Shr | B.N. Roy, SE, GRIDCO | For the petitioner |
| 2. | Shr | R.K. Mehta, Advocate, GRIDCO | -do-Resp |
| 3. | Shr | G.R. Vasudevan, SE, KPTCL | ondent |
| 4. | Shr | S.C. Mehta, Xen, RSEB | -do- |
| 5. | Shr | Bhanu Bhushan, Director, PGCIL | -do- |
| 6. | Shr | S.K. Dhiman, Chief Law Officer, NPCIL | -do- |
| 7. | Shr | Shyam Wadhera, GM(Comm), NTPC | -do- |
| 8. | Shr | MG Ramachandran, Advocate NTPC | -do- |
| 9. | Shr | P.V. Vinod, Advocate, NTPC | ~do- |
| 10. | Shr | K. Pal Pandey, CE/E, NLC | -do- |
| 11. | Shr | Venkatachalepti, Legal Adviser, NLC | -do- |

ORDER f Date of Hearing
29.03.2000)

In the hearing held on 7.3.2000 the Commission had advised the petitioner to implead all the concerned parties and serve a copy of the petition on all of them by 15.3.2000. The parties so impleaded were directed to file reply on admission of the petition by 22.3.2000. The petitioner was also advised to place the matter before the Regional Electricity Board for its consensus particularly on the issue arising out of super cyclone in Orissa.

2. Accordingly a revised petition, impleading all concerned was filed by the petitioner alongwith a proof of service of the petition on the respondents. The petitioner also filed an affidavit with the Commission regarding placement of the matter before the REB on the issue arising out of super cyclone in Orissa as directed by the Commission, However, it was informed by the learned counsel representing GRIDCO that the copy of the said affidavit could not be served on the respondents. Two of the respondents viz. TNEB and PGCIL filed their replies on admission of the petition.

3. Shri R.K. Mehta learned counsel for the petitioner conceded that some of the grounds taken in the review petition, do not fall within the scope of review. He informed that in compliance with the directions of the Commission, the matter was placed before the Regional Electricity Board and it was also taken up for discussions in the meeting of the REB held on 18.3.2000. However, decision of the EREB on the said issue was still awaited

by the GRIDCO. Besides his prayers in the petition regarding postponement of the implementation of ABT in the Eastern Region till 1.4.2001, issues pertaining to power from Chukha and Rangit and power transfer to North Eastern Region, he had also pleaded for some modifications in the orders on the issues which were not part of the petition.

4. Shri Bhanu Bhushan, Director(Operations) representing PGCIL/CTU submitted that implementation of the ABT Orders was absolutely essential. He contended that answers to the issues raised by the learned counsel for GRIDCO could be easily found in the Orders on ABT itself and to some extent after a simple reading of the relevant paras of the IEGC. He also assured that PGCIL in its capacity as a CTU is always available to clarify any misconception or misapprehension.

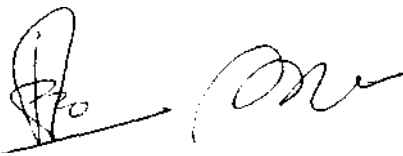
5. Nobody was present from TNEB. However, in its written reply dated 20.3.2000 TNEB has inter-alia observed that the petition merits consideration.

6. The implementation of the Order on ABT has already been stayed vide Orders dated 7.3.2000 in petition No. 13/2000. Thus the main relief of the petitioner has already been allowed till such time the stay order operates. The reliefs in the petition i.e. regarding power from Chukha/is[^] outside the jurisdiction of the Commission. The other issues raised by the learned counsel are not part of the prayers.

7. In view of the facts and circumstances explained above the present petition is ordered to be kept in abeyance till such time the NTPC review petition i.e. No. 13/2000 is disposed of. The petitioner may, if so advised, move an appropriate application for hearing of this review petition within 30 days of the order disposing of the NTPC reviewed petition. In case the petitioner does not avail of this liberty, the petition is liable to be dismissed.

(A.R. Ramanathan)
(S.L.Rao)
Member

(G.S. Rajamani)
Member


(CTP. Sinha)
Member Chairman

New Delhi, dated the 29^m March, 2000