

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 221/2010 (Suo Motu)

**Coram: Dr. Pramod Deo, Chairman
Shri S. Jayaraman, Member
Shri V. S. Verma, Member**

Date of Hearing: 18.1.2011

Date of Order: 25.4.2011

In the matter of:

Default in payment of Unscheduled Interchanges (UI) charges for the energy drawn in excess of the schedule.

In the matter of:

Department of Power, Govt. of Meghalaya, Shillong

.....Respondent

Parties present:

1. Shri A. Kharpan, MeECL
2. Shri F E Kharshiing, MeECL

ORDER

The Commission vide its order dated 4.10.2010 initiated suo-motu proceedings and issued show cause notice to the respondent under section 142 of the Act for non-compliance of provisions of Central Electricity Regulatory Commission (Unscheduled Interchange charges and related matters) Regulations, 2009 (hereinafter "UI regulations") as an amount of Rs. 14.85 Crores was outstanding against Meghalaya as on 31.08.2010. The Commission after taking note of the assurance given by the respondent in its reply dated 28.10.2010 for liquidation of outstanding UI dues had directed as under in order dated 30.12.2010:

"4. Considering the submission of the Respondent and the steps taken by it to liquidate the outstanding UI, we are of the view that the Respondent may be allowed some more time to



clear the outstanding UI dues. Accordingly, we direct the Respondent to liquidate the outstanding UI dues including surcharge and the current UI dues by 10.1.2010 and report compliance.”

2. The respondent vide affidavit dated 13.1.2011 has submitted that MeECL has been adversely affected due to dispute on the distribution tariff by major industrial consumer under the banner of Byrnihat Industrial Association (BIA) who refused to make full payment of electricity bills raised by MeECL w.e.f. 1.10.2008. This has resulted in accumulation of huge outstanding of Rs. 142.50 crores as on Nov. 2010. The case is still pending with MSERC. It was also submitted that despite its financial problems, payment of Rs.3.00 Crores has been made on 13.1.2011.

3. During the hearing on 18.1.2011, the respondent prayed for time upto March, 2011 to liquidate the outstanding UI Charges in view of the financial difficulty due to dispute in distribution tariff. We had directed the respondent to liquidate the outstanding UI charges by 31.1.2011 without linking the same to the distribution tariff.

4. As per information received from North-Eastern Regional Load Despatch Centre (NERLDC), the respondent has made a payment of Rs. 9 Crores during the month of January and Rs 1.1 crore during March 2011. It is however noticed that as on 1.4.2011, the total outstanding UI charges (including surcharge) has risen to Rs.13.50 crore. The respondent has not liquidated the entire UI dues by March 2011 as committed during the hearing on 18.1.2011.



5. We direct the respondent to liquidate the entire UI dues by 30.4.2011.
We also direct the officer in charge of the MeECL to personally ensure that the outstanding UI dues are liquidated by the above date.

6. The matter shall be listed for hearing on 12.5.2011.

Sd/-
(V. S. Verma)
Member

sd/-
(S Jayaraman)
Member

sd/-
(Dr Pramod Deo)
Chairperson

