

CENTRAL ELECTRICITY REGULATORY COMMISSION

Petition No. 123/2011 & I.A. No. 23/2011

Coram : Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S. Verma, Member
Shri M. Deena Dayalan, Member

Date of hearing : 4.10.2011

Subject : Compliance with the provisions of Central Electricity Regulatory Commission (Power Market) Regulations, 2010.

Petitioner : TATA Power Trading Co. Ltd

Respondents : Manikaran Power Ltd.

Parties present : Shri Manish Kamti, Trilegal
Smt. Surbhi Sharma, Advocate
Shri M.L. Batra, PXIL
Shri Sakya Chaudhuri, Advocate

Record of Proceedings

Tata Power Trading Company Ltd. (TPTCL) has filed I.A. No. 23/2011, in this suo-motu petition seeking impleadment as a party to the proceeding.

2. The learned counsel for TPTCL submitted that the present proceeding has been initiated by the Commission suo-motu after TPTCL brought to the notice of the Commission the instances of contravention of the regulations and orders of the Commission by Manikaran Power Limited (MPL). He further submitted that TPTCL has sought impleadment in the proceeding to assist the Commission in effective determination of the issues.

3. The learned counsel for MPL submitted that TPTCL has no *locus standi* to seek impleadment in the present proceeding which has been initiated by the Commission suo-motu.

4. In reply to a query of the Commission, the learned counsel for TPTCL submitted that impleadment as a respondent in the proceedings confers certain rights on the party, particularly in the matter of service of the copies of the documents filed in the proceedings. The Commission observed that TPTCL can obtain copies of the documents filed in this proceeding from the registry of the Commission in accordance with the Conduct of Business Regulations and file its submissions even without being impleaded as a party. Accordingly, the Commission rejected the I.A. for impleadment.

5. The Commission granted time to TPTCL to file its submissions, if any, by 17.10.2011 and to MPL to file its reply, if any, by 24.10.2011.
6. Subject to the above, order in the petition was reserved.

Sd/-
(T. Rout)
Jt. Chief (Law)
7.10.2011