

**Central Electricity Regulatory Commission  
New Delhi**

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

Petition No.: 199/MP/2011

Date of Hearing: 22.12.2011

Subject: Miscellaneous petition under Regulations 24 read with Regulation 111 of the Central Electricity Regulations Commission (Conduct of Business) Regulations, 1999 and Regulation 29, Power to Relax of the Central Electricity Regulations Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004

Petitioner: Power Grid Corporation of India Limited, Gurgaon

Respondents: Bihar State Electricity Board and 52 others

Parties present: Shri S.S. Raju, PGCIL  
Shri Rajeev Gupta, PGCIL  
Shri Manoj Dubey, Advocate for MPPTCL  
Shri R.B. Sharma, Advocate for BSEB, JSEB & BSESRL

**RECORD OF PROCEEDINGS**

The representative of the petitioner submitted that the instant Miscellaneous Petition has been filed seeking amendment in Regulation 3 of the Central Electricity Regulations Commission (Procedure for making of application for determination of tariff, publication of the application and other related matters) Regulations, 2004 (hereinafter referred to as 2004 regulations). It was submitted that the petitioner is serving copy of the petition to all the regional respondents and publishing a notice regarding the petition in atleast two daily newspapers having circulation in each of the State/UT where the beneficiaries are situated. The representative of the petitioner further submitted that as per the Central Electricity Regulations Commission (Sharing of inter-State Transmission Charges and Losses) Regulations, 2010 (hereinafter referred to as 2010 regulations), effective from 1.7.2011, copy of the petition is required to be served on all the 64 ISTS and notice regarding the petition is required to be published in two newspapers in all the States and UTs. It was submitted that because of the 2010 regulations, its workload and cost of publishing in newspapers has increased manifold. The representative of the petitioner submitted that they have prayed for amendment of Regulation 3 of the 2004

regulations, so that they could send scanned copy of the petition electronically instead of sending hard copy of the petition to the petitioner, followed by a notice by post, as required under the 2004 regulations, which would contain such information as filing of the petition in the Commission and availability of the petition in the petitioner's website. The representative of the petitioner further requested to permit them to publish the notice regarding the petition in one Hindi and one English newspaper having all India circulation instead of publishing in two daily regional newspapers as required under the 2004 regulations.

2. The representative of the petitioner submitted that reply to the petition was filed by MPPTCL, BSEB, JSEB and BSESRPL and rejoinder to the same has already been filed.

3. The learned counsel for MPPTCL supported the amendments proposed by the petitioner as it would be cost effective and environmentally friendly. He further submitted that a scanned copy of the petition must be made available on the Commission's website, besides the petitioner's website, and it should be linked to the RoPs of the concerned petitions.

4. The learned counsel for the BSEB, JSEB and BSESRPL submitted that the respondents do not support the amendments proposed by the petitioner as they would not take care of the interest of the consumers. It was also submitted that the electronic mode can be used as support mechanism not as a substitute to the existing mechanism. He also submitted that the petition, along with the additional information filed by the petitioner, the replies and rejoinders related to the petition must be made available on the Commission's website till the disposal of the petition to facilitate the consumers to have access to the petition and make necessary submission before the Commission.

5. Replying to the Commission's query, the learned counsel for the BSEB, JSEB and BSESRPL submitted that amendments to the Regulations cannot be made through a petition; however, the Commission on the basis of the instant petition can suo-motu amend the Regulations.

6. Order in the petition was reserved.

Sd/-  
(T. Rout)  
Joint Chief (Law)  
5.1.2012