

**Central Electricity Regulatory Commission
New Delhi**

RECORD OF PROCEEDINGS

Petition No. 122/2011

Subject: Petition under Section 79(1)(c) and (f) of the Electricity Act,2003 read with CERC (Grant of Connectivity , Long Term Access and Medium Term Open Access to inter-state Transmission and related matters)Regulations,2009 for considering Korba STPS Stage – III as an ISGS and its beneficiary states/UT as long term customers.

Date of Hearing: 5.5.2011

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

Petitioner: NTPC Ltd, New Delhi

Respondents: PGCIL, WRPC, POSOCO, MSEDCL, MPPTCL, GUVNL, CSPDCL, ED-Govt. of Goa, ED-Admn. of Daman & Diu, ED- Admn. of Dadra & Nagar Haveli.

Parties present: Shri M.G. Ramachandran Advocate, NTPC
Shri V.K. Padha, NTPC
Shri S.K. Sharma, NTPC
Shri A.S.Pandey, NTPC
Shri Manoj Dubey, MPPTCL
Shri S.R. Narasimhan, WRLDC

During the hearing, the representative of the petitioner submitted as under:

- (a) As per definition, the 'long-term customer' under the Grant of Connectivity, Long Term Access and Medium Term Open Access in inter- state Transmission and related matters) Regulations, 2009 would mean a person who has been allocated central sector generation that is electricity supply from a generating station owned or controlled by the Central Government.
- (b) The petitioner is owned and controlled by the Central Government and power from the generating station (Korba STPS Stage – III) has been

allocated to the various beneficiaries of the Western Region vide its letter dated 9.12.2010.

- (c) The generating station was declared under commercial operation on 22.3.2011 with power allocated by the Central Government and the beneficiaries are long term customers and are entitled for long term access.
- (d) The insistence by WRLDC to schedule the power under Short-term Open Access was contrary to the provisions of the Electricity Act, 2003 and the relevant Regulations of the Commission.
- (e) The prayer made in the petition may be considered and the CTU, WRPC and the WRLDC be directed accordingly.

2. The Commission admitted the matter and directed the petitioner to serve copies of the petition on the respondents, within 11.5.2011, if not already done. The respondents are directed to file their reply, latest by 16.5.2011, with advance copy to the petitioner. Rejoinder, if any, to be filed on or before 18.5.2011.

3. Matter to be listed for hearing on 19.5.2011.

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