

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

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

**Date of Hearing : 5.1.2012
Date of Order : 6.1.2012**

Petition No. 177/2011

In the matter of

Petition under Section 79 of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009

And

In the matter of

BSES Rajdhani Power Limited, New Delhi **Petitioner**
Vs
1. NTPC Limited, New Delhi
2. NHPC Limited, New Delhi
3. Power Grid Corporation of India Ltd, Gurgaon **Respondents**

Petition No. 179/2011

In the matter of

Petition under Section 79 of the Electricity Act, 2003 read with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009

And

In the matter of

BSES Yamuna Power Limited, New Delhi **Petitioner**
Vs
1. NTPC Limited, New Delhi
2. NHPC Limited, New Delhi
3. Power Grid Corporation of India Ltd, Gurgaon ... **Respondents**

The following were present:

1. Shri Amit Kapur, Advocate, BRPL & BYPL
2. Shri. Anupam Verma, Advocate, BRPL & BYPL
3. Shri Dushyant Manocha, Advocate, BRPL & BYPL
4. Shri Aashish Gupta, Advocate, BRPL & BYPL
5. Shri V.P. Singh, Advocate, BRPL & BYPL
6. Ms. Tarunima Vijra, Advocate BRPL & BYPL
7. Shri Nikhil Sharma, Advocate, BRPL & BYPL
8. Shri Sanjay Srivastav, BRPL
9. Shri Gopal K. Saxena, BRPL
10. Shri Haridas Maity, BYPL
11. Dr. Meenu Mishra, BYPL
12. Shri Sunil Kumar, BYPL
13. Shri Sushil Aggarwal, BYPL
14. Shri MG Ramachandran, Advocate, NTPC & PGCIL
15. Ms Swapna Shesadri, Advocate, NTPC & PGCIL
16. Shri V K Padha, NTPC
17. Shri C.K. Mondol, NTPC,
18. Shri Rohit Chhabra, NTPC,
19. Shri S. Saran, NTPC
20. Shri Rakesh Prasad, PGCIL
21. Shri S.S. Raju, PGCIL
22. Shri N.N. Mondal, PGCIL
23. Shri S.K. Niranjan, PGCIL
24. Shri R. Raina, NHPC
25. Shri Amrik Singh, NHPC
26. Shri S.K. Meena, NHPC
27. Shri Ajay Dua, NHPC

ORDER

We have heard the learned counsel for the petitioners and respondents, NTPC and PGCIL and the representative of NHPC.

2. During the hearing, the learned counsel for NTPC submitted that the implementation plan for regulation of power supply to the petitioners was issued for non-maintenance of the payment security mechanism as per the provisions of the Power Purchase Agreement and not for payment of the outstanding dues.

3. Noting the above submission of the learned counsel for NTPC, we further direct that the petitioners shall restore and maintain the required payment security mechanism as per the provisions of the Power Purchase Agreement forthwith, and not later than 16.1.2012.

4. Order in the petitions is reserved.

SD/-
[M.DEENA DAYALAN]
MEMBER

SD/-
[V.S.VERMA]
MEMBER

SD/-
[S.JAYARAMAN]
MEMBER

SD/-
[DR.PRAMOD DEO]
CHAIRPERSON