

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.160/GT/2012 with I.A.No.49/2012

Subject: Determination of tariff of Udupi Thermal Power Station (2 x 600 MW) for the period from 11.11.2010 to 31.3.2014 (Unit-I) and from 1.4.2012 to 31.3.2014 for Unit-II. Interlocutory Application filed for revision of tariff calculations as on the date of commercial operation of Unit-I (11.11.2010) and Unit-II (19.8.2012)

Date of hearing: **31.1.2013**

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

Petitioner: Udupi Power Corporation Ltd, Bangalore

Respondents: Power Company of Karnataka Ltd, Bangalore Electricity Supply Company Ltd, Mangalore Electricity Supply Company Ltd, Gulbarga Electricity Supply Company Ltd, Hubli Electricity Supply Company Ltd, Chamundeshwari Electricity Supply Company Ltd, Punjab State Power Corporation Ltd.

Objector: M/s Janajagrithi Samithi, Karnataka

Parties present: Shri J.J. Bhatt, Senior Advocate, UPCL
Shri L. Vishwanathan, Advocate, UPCL
Shri R.Parthasarathy, UPCL
Shri Soumyanarayanan, UPCL
Shri R.A.Mulla, UPCL
Shri M.G.Ramachandran, Advocate, for Discoms of Karnataka
Shri Anand Ganesan, Advocate for Discoms of Karnataka
Shri V.G.Manjunath, PCKL
Shri Padamjit Singh, PSPCL
Shri Rohit Rao, Advocate for Objector

RECORD OF PROCEEDINGS

The learned Senior counsel for the petitioner pointed out to the reliefs prayed for in page 63 of the petition and submitted that tariff in respect of Unit Nos. I and II of the generating station is to be determined by the Commission. At this juncture, the learned counsel for the respondents 2 to 6 pointed out to the Interlocutory Application filed by the petitioner and paragraphs 52 and 53 of the order dated 24.12.2012 and submitted that since I. A has not been admitted by the Commission, the respondents could not file replies to the same. Accordingly, the learned counsel prayed for a clarification in the matter and grant of time to file its responses in the matter before the same could be taken up for hearing.

2. The learned Senior counsel pointed out that the respondents including the objector have filed their responses and submitted that there is no formal admission process involved in tariff applications. He however did not object to the prayer of the learned counsel for the respondent No.2 to 6 for grant of time to file their replies/responses in the matter. The learned counsel for petitioner also submitted that pleadings have been completed by the petitioner and prayed that the respondents may be directed to file their reply/responses soon, so that the matter is heard and tariff of the generating station is determined accordingly.
3. The Commission observed that there is no formal admission process in respect of tariff petitions and directed the parties to file its replies/responses in the matter so that final tariff in respect of Unit. Nos I and II of the generating station is determined.
4. The representative of the respondent, PSPCL prayed that the petitioner be directed to serve a copy of the EPC contract and the report of the Gururajan Committee to enable it to file its response. A copy of the said documents has been handed over to the respondent, PSPCL by the petitioner which has since been acknowledged.
5. As regards the prayer of the learned counsel for the objector for obtaining copies of certain documents including EPC contract and the report of the Gururajan Committee filed by the petitioner, the Commission directed that the copy of the documents may be obtained after inspection of the records in the matter.
6. The learned counsel for the respondent Nos 2 to 6 prayed for grant of four weeks time to file its reply to the interlocutory application filed by the petitioner.
7. The Commission directed the respondents, including the objector to file their reply / response to the application filed by the petitioner, with advance copy to the petitioner, by 28.2.2013. Thereafter, the petitioner shall file its rejoinder to the above on or before 11.3.2013.
8. Petition along with I.A. No. 49/2012 shall be listed for final hearing on 19.3.2013.

By order of the Commission

Sd/-
T.Rout
Joint Chief (law)