

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 12/TDL/2010

Coram:

Shri Gireesh B.Pradhan, Chairperson

Shri V.S.Verma, Member

Shri M.Deena Dayalan, Member

Shri A.K.Singhal, Member

Date of order: 8.11.2013

In the matter of

Surrender of inter-State trading licence granted to Abellon Clean Energy Ltd.

And

In the matter of

Abellon Clean Energy Ltd., Ahmedabad

...**Petitioner**

ORDER

By order dated 14.9.2010, Abellon Clean Energy Ltd. (hereinafter referred to as 'licensee') was granted trading licence for Category `IV` to trade in electricity as an electricity trader in the whole of India, except the State of Jammu and Kashmir, in terms of Regulation 6 of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2009 (hereinafter referred to as "Trading Licence Regulations") amended from time to time.



2. The licensee vide its affidavit dated 30.9.2013 has submitted that since the current market is too volatile and uncertain for bilateral power trading, it is unable to undertake trading activities. The licensee has submitted that he has not done any trading business from the date of grant of trading licence. The licensee has further confirmed that it does not have any liability against its inter-State trading licence. The licensee has requested to waive the licence fee for the period 2013-14 and exempt it to comply with Regulation 14 (3) of the Trading Licence Regulations.

3. Regulation 14 (3) of the trading licence regulations provides as under:

"(3) Where the licensee makes an application for revocation of licence, the application shall contain the following information and documents:

(a) reasons for seeking revocation;

(b) an affidavit to the effect that the licensee has deposited the licence fee for the year in which revocation is sought; that there are no undischarged liabilities against the licensee; that there are no operative contracts for trading of electricity to which the applicant is a party at the time of filing the said application;

(c) an affidavit to the effect that the applicant has posted the complete application on its website and shall keep the application uploaded on its website till its disposal by the Commission;

(d) documents showing that the licensee has published the notice about its application for revocation in two daily newspapers having circulation in each of the five regions in addition to those published from Delhi including one economic newspaper;

(4) Where the Commission, after considering the application made in accordance with clause (3), is satisfied that public interest so requires, the Commission shall revoke the licence, as to the whole or any part of the area of trading upon such terms and conditions as the Commission may consider appropriate;

(5) Where the licence is revoked under clauses (2) and (4) of this regulation, the Commission shall serve a notice of revocation on the licensee and fix a date from which revocation shall take effect."

4. We have considered the request of the licensee. The trading licence has been surrendered due to volatility in current market and uncertainty for the bilateral power trading. Since the licensee has expressed its inability to undertake trading to the prevailing market conditions, it is in public interest to revoke the licence. The licensee has confirmed that there is no operative contract pending against the licence. The licensee has also confirmed that it has not any liability against the trading licence granted to it. We accept the request of the licensee and revoke the licence granted to the licensee with immediate effect.

5. The licensee has requested to waive payment of licence fee for the year 2013-14 and exempt it to comply with Regulation 14 (3) of the Trading Licence Regulations. As the licensee has not been able to undertake any trading and considering the fact that publication of notice for revocation of licence will add further financial liability on the petitioner, we waive the requirement of publication. As regard the request for waiver of licence fee, we notice that the licensee has requested for revocation of licence on 1.5.2013 and surrendered the licence issued to it. Therefore, in exercise of our power under Regulation 17 of the Trading Licence Regulations, we waive the requirement of payment of fees for the year 2013-14.

6. We direct that the Category-IV licence granted to M/s Abellon Clean Energy Limited be revoked with effect from date of issue of this order.



7. A copy of this order be sent to the Central Government in Ministry of Power and Central Electricity Authority for their information and record.

Sd/-

sd/-

sd/-

sd/-

(A.K.Singhal)
Member

(M. Deena Dayalan)
Member

(V.S.Verma)
Member

(Gireesh B.Pradhan)
Chairperson