

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

I.A. No. 2/2014 in Petition No. 252/GT/2013

Subject: Interlocutory Application for fixation of provisional tariff –Petition for determination of generation tariff of Karcham Wangtoo HEP (4 x 250 MW) for the period from 26.5.2011 to 31.3.2014.

Date of Hearing: 6.3.2014

Coram: Shri Gireesh B. Pradhan, Chairperson
Shri M. Deena Dayalan, Member
Shri A.K. Singhal, Member

Petitioner: Jaiprakash Power Venture Ltd (JPVL)

Respondents: PTC, HPGCL, JVVNL, AVVNL, JoVVNL, PSPCL and UPPCL

Parties Present: Shri Vishal Gupta, Advocate, JPVL
Shri Sanjiv K Goel, JPVL
Shri D.P.Goyal, JPVL
Shri Kapil Ahuja, JPVL
Shri Ravi Prakash, Advocate, PTC
Ms. Swapna Seshadri, Advocate, HPGCL & PSPCL
Shri A.K. Jain, Discoms of Rajasthan
Shri Dinesh Singh

RECORD OF PROCEEDINGS

At the outset, the learned counsel for the respondents HPGCL & PSPCL prayed that it may be granted some time to obtain instructions from the said respondents with regard to the prayer of the petitioner in the I.A and file reply. The learned counsel also submitted that the question as to whether the said respondents are necessary/proper parties in the case, considering the background that no power is being supplied by the petitioner and that they have been impleaded by the petitioner without notice and at the instance of the respondent, PTC is required to be examined and a detailed reply would be filed prior the next date of hearing.

2. The learned counsel for the petitioner objected to the prayer of the learned counsel for the respondents, HPGCL & PSPCL for grant of time and clarified that the I.A has been filed for considering the grant of provisional tariff of the project and sufficient time was available to the said counsel to seek instructions in the matter. He also pointed out that the impleading petition was allowed by the Commission and accordingly the petition was amended and the discoms (respondents 2 to 6) were added as parties to the case

and copies of the petition/IA had already been served on the said respondents and a copy was also handed over to learned counsel for the petitioner. He accordingly prayed that other parties present in the case may be heard.

3. The learned counsel for the respondent, PTC objected to the grant of time and clarified that the petitioner has short term arrangements for supply of power based on which PTC had arrangements with the respondent discoms which would be discontinued. The petitioner having a composite scheme for supply of power, these respondent discoms were made parties in the petition based on the I.A. filed by PTC which was allowed by the Commission. Copies of the petition and this IA have also been served on these respondents and hence the Commission may consider the grant of provisional tariff.

4. The representative of the Rajasthan discoms (respondents herein) submitted that it has been served copies of the petition and the IA filed by the petitioner.

5. The learned counsel for the respondent HPGCL & PSPCL reiterated that since the respondents were made parties to the case without notice, it may be given time to file its detailed reply in the IA within a week and the matter may thereafter be heard.

6. On a specific query by the Commission as to whether back to back arrangement for power supply exists with the respondents HPGCL and PSPCL, the learned counsel for the said respondents clarified that though back to back arrangement with PTC existed, the PPA with PTC had been terminated by the petitioner.

7. The Commission after hearing the parties allowed the prayer of the learned counsel for the respondents HPGCL & PSPCL and adjourned the matter. Accordingly, the petition was directed to be listed for hearing on **13.3.2014**. The Commission also directed the learned counsel for the respondents HPGCL & PSPCL to file its reply in the said IA prior to the said date of hearing with advance copies to the petitioner and the respondent PTC.

By order of the Commission

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