

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. MP/111/2014
with I.A. No. 34/2014**

- Subject : Petition under Sections 79 and 94 of the Electricity Act, 2003 read with Regulation 24 of the CERC (Conduct of Business) Regulations, 1999 and Central Electricity Regulatory Commission (Grant of Connectivity, Long-term Access and Medium-term Open Access in inter-State Transmission and related matters) Regulations, 2009.
- Date of hearing : 15.7.2014
- Coram : Shri Gireesh B. Pradhan, Chairperson
Shri M.Deena Dayalan, Member
Shri A.K. Singhal, Member
- Petitioner : Hindustan Electricity Generation Company Pvt. Ltd., Mumbai
- Respondents : Power Grid Corporation of India Ltd. and others
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- Parties present : Shri Manish Anand, Senior Advocate for petitioner
Shri M.Paarthiv, Advocate for the petitioner
Shri Manish, HEGCPL
Shri Mukesh, HEGCPL

Record of Proceedings

Learned senior counsel for the petitioner submitted that the present petition has been filed seeking direction to PGCIL not to encash the bank guarantee of ₹ 2.50 crore given by the petitioner to PGCIL. He submitted that bank guarantee is presently valid till 27.8.2014. Learned senior counsel submitted that PGCIL vide its letter dated 23.6.2014 directed the petitioner to execute LTA on 7.7.2014 failing which it would result in PGCIL invoking bank guarantee. Learned senior counsel submitted that Central Electricity Authority vide its circular dated 19.3.2012 advised developers not to set up project due to non-availability of domestic gas. Therefore, in the present circumstances, the

petitioner is not in a position to sign LTA. Learned senior counsel further submitted that the project site has also been declared unfit to set up the project.

2. After hearing the learned senior counsel for the petitioner, the Commission directed to issue notice to the respondents.

3. The Commission directed the petitioner to serve copy of the petition to the respondents immediately, if not served.

4. The Commission directed the respondents to file their replies by 18.7.2014 with an advance copy to the petitioner, who may file its rejoinder, if any by 21.7.2014. The Commission directed that the due dates for filing the replies and rejoinders should be strictly complied with.

5. The petition and IA shall be listed for hearing on 22.7.2014 on maintainability.

By order of the Commission

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