

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.127/MP/2016

Subject :Petition under Section 79 of the Electricity Act, 2003 for adjudication of the matter between the parties in relation to non-release of Bank Guarantee furnished with respect to Long Term Open Access granted to the petitioner.

Date of hearing : 15.11.2016

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : Ind Barath Energy (Utkal) Ltd. (IBEUL)

Respondent :Power Grid Corporation of India Ltd.

Parties present : Shri Sanjay Bajaj, Advocate, IBEUL
Ms. Rigasha Takkar, Advocate, IBEUL
Shri M.G. Ramachandran, Advocate, PGCIL
Ms. Anushree Bardhan, Advocate, PGCIL
Shri Ashok Rajan, ERLDC

Record of Proceedings

Learned counsel for PGCIL requested for time to file reply to the petition. Request was allowed by the Commission.

2. Learned counsel for the petitioner submitted that the petitioner has opened the LC for 500 MW. However, due to shortage of fund, the petitioner could not open LC for remaining 116 MW. Learned counsel for the petitioner requested to direct CTU to release 50% of the amount of bank guarantee so that the petitioner may construct its dedicated transmission line.

3. The Commission declined to issue direction to CTU to release 50% of the amount of bank guarantee. The Commission further directed that after the LC is opened for the entire quantum, CTU shall release the 50% bank guarantee and the remaining bank guarantee shall be released after hearing the parties.

4. The Commission directed PGCIL to file its reply on or before 9.12.2016 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 23.12.2016. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

5. The petition shall be listed for hearing on 10.1.2017.

By order of the Commission

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