

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 180/MP/2016

Subject : Petition under Section 79(1) (c), (d) & (f) of the Electricity Act 2003 read along with Regulation 55 of the Tariff Regulations, 2014 & Regulation 111 (Inherent Powers), Regulation 115 (Power To Remove Difficulties) of the CERC (Conduct of Business) Regulations, 1999.

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Petition seeking directions from the Central Electricity Regulatory Commission against NTPC Limited to bear/pay the IEDC charges for the associated transmission system with Barh Generation in lieu of the Order dated 3.3.2016 of the Supreme Court of India and the Indemnification Agreement dated 15.3.2002 signed between the parties.

Petitioner : Power Grid Corporation of India Limited

Respondent : NTPC Limited

Date of hearing : 27.10.2016

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

Parties present : Shri Sakie Jakharia, PGCIL
Shri Aryaman Saxena, PGCIL
Shri S.K. Venkatesh, PGCIL
Shri M.K. Mondal, PGCIL
Shri S.S. Raju, PGCIL
Shri Rakesh Prasad, PGCIL
Shri Avinash Pavgi, PGCIL
Ms. Anushree Bardhan, Advocate, NTPC
Shri Umesh Ambati, NTPC

Record of Proceedings

The representative of the petitioner submitted that the present petition has been filed seeking direction to NTPC to pay the disallowed 'Incidental Expenditure During Construction' (IEDC) charges for the associated transmission system with Barh generation in terms of the Hon'ble Supreme Court judgement dated 3.3.2016 and the Indemnification Agreement dated 15.3.2002 entered into between the parties.

2. After hearing the representative of the petitioner, the Commission directed to issue notice to the respondent.
3. Learned counsel appeared on behalf of NTPC accepted the notice.
4. The Commission directed the petitioner to serve copy of the petition on the respondent immediately. The respondent was directed to file its reply, on affidavit, by 18.11.2016 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before, 30.11.2016. The Commission directed the petitioner and the respondent 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 27.12.2016.

By order of the Commission

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