

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.33/MP/2016

Subject : Petition under Section 79 (1) (a) of the Electricity Act, 2003 read with CERC (Terms and Conditions of Tariff) Regulations, 2014 for relief on account of "Change in Law" affecting the Badarpur Thermal Power Station.

Petitioner : NTPC Limited

Respondents : BSES Rajdhani Power Limited and others

Petition No. 86/MP/2016

Subject : Petition seeking decommissioning and/or closure of BTPS Stage-I.

Petitioners : BSES Yamuna Power Limited and BSES Rajdhani Power Ltd.

Respondents : Badarpur Thermal Power Station and Others

Petition No. 91/MP/2016

Subject : Petition seeking re-determination of gross station heat rate of Badarpur Thermal Power Station as provided under Regulation 36(c)(a) (ii) of the CERC (Terms and Conditions of Tariff) Regulations, 2014.

Petitioner : Tata Power Delhi Distribution Co. Ltd. (TPDDL)

Respondents : NTPC Limited and Others

Date of hearing : 8.12.2016

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

Parties present : Shri Sitesh Mukherjee, Advocate, NTPC
Shri Deep Rao, Advocate, NTPC
Ms. Akansha Tyagi, Advocate, NTPC
Shri A. Basu Roy, NTPC
Shri Nishant Gupta, NTPC
Shri E.P. Rao, NTPC
Shri Gagan, BYPL
Ms. Malavika Prasad, Advocate, BRPL
Shri Hasan Murtaza, Advocate, BRPL
Shri Kanishk, BRPL
Shri Abhishek Srivastava, BYPL
Shri Sameer Singh, BYPL

Shri Alok Shankar, Advocate, TPDDL
Shri Anand Kr. Srivastava, Advocate, TPDDL
Shri Sakya Singh Chaudhuri, Advocate, TPDDL
Ms. Molshree Bhatnagar, Advocate, TPDDL
Ms. Shimpy Mishra, TPDDL
Shri Darshan Singh, Delhi SLDC
Shri S.K. Chaturvedi, Advocate, DTL
Shri Gaurav Gupta, DTL
Shri Uttam Kumar, TPDDL
Shri Mithun Chakraborty, TPDDL
Shri Sumit Sachdev, TPDDL

Record of Proceedings

Learned counsel for NTPC submitted that the Commission vide ROP dated 30.6.2016 clubbed the Petition Nos. 86/MP/2016 and 91/MP/2016 along with Petition No. 33/MP/2016. Learned counsel for NTPC further submitted that pleadings have already been completed in Petition No. 33/MP/2016 and NTPC has filed its reply in Petition No. 91/MP/2016.

2. Learned counsel for BRPL and BYPL submitted that BRPL and BYPL in their combined petition have prayed for de-commissioning of Badarpur Thermal Power Station.

3. Learned counsel for TPDDL submitted that TPDDL is seeking re-determination of gross SHR of Badarpur Thermal Power Station and requested to list the Petition No. 33/MP/2016 filed by NTPC after disposal of the petitions filed by TPDDL, BRPL and BYPL.

4. After hearing the learned counsels for the petitioners and the respondents, the Commission directed the respondents to file their replies if already not filed, on affidavit, by 15.1.2017 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 30.1.2017. The Commission directed the petitioners and the respondents that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

5. The Commission directed the staff of the Commission to refer the petitions to CEA and seek its technical advice with regard to the closedown or phasing out of the units of BTPS, keeping in view the islanding scheme and grid requirement of NCT of Delhi in consultation with NRLDC and SLDC Delhi.

6. The petitions will be listed in due course after receipt of the technical advice from CEA.

By order of the Commission

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