

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.139/MP/2016**

- Subject : Petition under Section 79 (1) of the Electricity Act,2003 read with related provisions of the Chapter-V of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulation 22 (6) (ii) (Chapter-3) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 and Regulation 31 (6) (b) (Chapter-7) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for allowing recovery of Energy Charge shortfall during the period of 2012-13, 2013-14 and 2014-15 as well as the modification of design energy for 2014-15, 2015-16 and 2016-17 for calculation of ECR till the energy charge shortfall of the previous years has been made up for the Ranganadi Hydro Electric Plant (RHEP), where actual energy generated by the station during a year is less than its approved design energy for reasons beyond the control of the generating company (NEEPCO).
- Petitioner : North Eastern Electric Power Corporation Limited (NEEPCO)
- Respondents : Assam Power Distribution Co. Limited & Others
- Date of hearing : 19.1.2017
- Coram : Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member
- Parties present : Shri P.C. Barman, NEEPCO  
Ms. E. Pyrobot, NEEPCO  
Shri D. Choudhury, NEEPCO

**Record of Proceedings**

The representative of the petitioner submitted that the present petition has been filed for recovery of energy charge shortfall during the financial years 2012-13, 2013-14 and 2014-15 and for modification of design energy for the financial years 2014-15, 2015-16 and 2016-17 for the purpose of calculation of energy charges. The representative of the petitioner further submitted that required information has been filed by the petitioner except the actual data certified by CWC.

2. None appeared on behalf of the respondents despite notice.
3. After hearing the representative of the petitioner, the Commission directed the petitioner to make efforts in getting certification of actual flow data by CWC or the

flow data registered by nearby CWC flow gauges installed at the upstream of the project, whichever is available.

4. The Commission directed the petitioner to clarify its stand on submissions of APDCL that the loss of energy generation is due to siltation in the reservoir bed. The Commission directed the petitioner to file the following information on affidavit, by 17.2.2017:

- (a) Elevation of MDDL;
- (b) Elevation of top and bottom of intake structure;
- (c) Elevation of top of the silt level;
- (d) How accumulated silt has affected the live capacity of the reservoir;
- (e) A write up to the effect that accumulated silt/reduction in live storage capacity does not have any impact on extent of spillage and possible energy generation.

5. The Commission directed the petitioner to implead CEA as party to the petition and serve copy of the petition with all documents on the CEA immediately. The Commission requested the CEA to file its view/comments on the issue by 17.2.2017.

6. The petition shall be listed for hearing on 9.3.2017.

**By order of the Commission**

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