

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 14/MP/2017  
alongwith I.A. No. 5/2017**

- Subject : Petition under Section 79 (1) (a) and (f) of the Electricity Act, 2003 read with the provisions of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for relies on account of a Change in Law affecting Stage-II of the Badarpur Thermal Power Station.
- Date of hearing : 7.9.2017
- Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member
- Petitioner : NTPC Limited.
- Respondents : BSES Rajdhani Power Limited (BRPL) and Others.
- Parties present : Shri Sitiesh Mukherjee, Advocate, NTPC  
Shri Deep Rao, Advocate, NTPC  
Shri Rahul Bajaj, Advocate, NTPC  
Shri Nishant Gupta, NTPC  
Shri Buddy Rangnadhan, Advocate, BRPL & BYPL  
Shri Hasan Murtaza, Advocate, BRPL & BYPL  
Shri Malvika Prasad, Advocate, BRPL & BYPL  
Shri Sameer Singh, BRPL & BYPL  
Shri Aniket Prasoon, Advocate, TPDDL  
Shri Abhishek Kumar, Advocate, TPDDL  
Shri Uttam Kumar, TPDDL  
Shri Kartikey Tripathi, TPDDL  
Shri S.K. Sinha, Delhi SLDC

**Record of Proceedings**

Learned counsel for BYPL and BRPL submitted that the petitioner has filed the present petition for payment of capacity charges for BTPS Stage II and the petitioner has also filed Petition No. 33/MP/2016 for seeking payment of capacity charges for 4 units of BTPS till operationalization of the same. Learned counsel further submitted that

since, the prayers made in the present petition and Petition No. 33/MP/2016 are similar, both the petitions should be tagged for hearing.

2. Learned counsel for NTPC objected to tagging of the present petition alongwith Petition No. 33/MP/2016 and submitted that the cause of action, factual matrix and relevant periods for which relief has been claimed in Petition No. 33/MP/2016 and the present petition are completely distinct and separate.

3. Learned counsel for NTPC sought permission to file submissions in respect of tagging of the present petition alongwith Petition No. 33/MP/2016. Request was allowed by the Commission.

4. The Commission directed NTPC to file its submissions with respect to consolidation of the present petition alongwith Petition No. 33/MP/2016, by 6.10.2017 with an advance copy to the petitioner, who may file its response, if any, on or before 18.10.2017. The Commission directed that due date of filing the submissions and response should be strictly complied with. No extension shall be granted on that account.

5. The petition shall be listed for hearing on 26.10.2017.

**By order of the Commission**  
**Sd/-**  
**(T. Rout)**  
**Chief (Legal)**