

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.227/MP/2018

Subject :Petition under Section 142 read with Section 149 of the Electricity Act, 2003 and Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 inter alia seeking initiation of appropriate action against the Respondents for non-compliance of the order dated 19.12.2017 passed by the Commission in Petition No. 229/MP/2016.

Date of Hearing : 15.11.2018

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member

Petitioner : DB Power Limited (DB Power)

Respondents : TANGEDCO and Others

Parties present :ShriDeepak Khurana, Advocate, DB Power
ShriG. Umamathy, Advocate, TANGEDCO
Shri S. Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

Learned counsel for the Petitioner submitted that the Commission vide RoP dated 30.8.2018 directed the respondents to file their replies by 17.9.2018. However, no reply has been received as on date. Learned counsel further submitted that the Petitioner raised certain supplementary bills on TANGEDCO which were refused by TANGEDCO vide letter dated 8.5.2018 on the ground that it has filed Appeal No.246 of 2018 before the APTEL which is still pending. Learned counsel submitted that the APTEL vide its interim order dated 29.10.2018 has directed TANGEDCO to make payment of Change in Law claims amount. However, no payment has been made by TANGEDCO.

2. Learned counsel for TANGEDCO submitted that APTEL has directed the Petitioner to place on record the necessary payment receipts/ vouchers regarding its claims towards Change in Law within two weeks and after reconciliation of amount, payment will be made to the Petitioner.

3. Learned counsel for the Petitioner submitted that Appeal No. 246 of 2018 is listed for hearing on 26.11.2018 and requested to list the present matter thereafter. Request was allowed by the Commission.

4. After hearing the learned counsels for the Petitioner and TANGEDCO, the Commission observed that despite number of opportunities given to TANGEDCO, it has not filed its reply in time. The Commission expressed its displeasure towards TANGEDCO for not complying with the Commission's directions dated 30.8.2018 and directed the TANGEDCO to comply with the time-line specified by the Commission from time to time, in future.

5. The Commission directed the respondents to file their replies, by 14.12.2018 as a last opportunity, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 31.12.2018. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

6. The petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T. D.Pant)
Deputy Chief (Law)**