

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 88/AT/2019

Subject : Application under Section 63 and Section 79(1)(b) of the Electricity Act, 2003 for adoption of tariff for supply of power to NBPDC and SBPDCL by JITPL and SKS Power Generation (Chhattisgarh) Ltd. with back to back arrangement with the PTC India Limited.

Petitioner : Bihar State Power (Holding) Company Limited (BSP(H)CL)

Respondents : PFC Consulting Ltd. and Others

Date of hearing : 7.5.2019

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

Parties present : Shri R.B. Sharma, Advocate, BSP(H)CL
Shri Mohit Mudgal, Advocate, BSP(H)CL
Shri Hemant Singh, Advocate, JITPL & SKS Power
Shri Soumya Singh, Advocate, JITPL & SKS Power
Shri Vishrov Mukherjee, Advocate, PTC India

Record of Proceedings

Learned counsel for the Petitioner submitted that the pleadings have already been completed by the parties and requested the Commission to adopt the tariff.

2. The Commission observed that as per Regulation 7(h) of the Central Electricity Regulatory Commission (Procedure, Terms and Conditions for grant of trading licence and other related matters) Regulations, 2009, licensee is required to carry out trading in accordance with the agreed terms and conditions and may take such safeguards as he may consider necessary with regard to payment security mechanism with the buyers but shall always ensure payment to the seller for the purchase of agreed quantum of electricity either through letter of credit or any other appropriate instrument or as may be mutually agreed between the seller and the licensee. In response, learned counsels for JITPL, SKS Power and PTC submitted that vide affidavits dated 24.4.2019 and 26.4.2019 respectively, JITPL, SKS Power and PTC have undertaken to abide by the provisions of payment security mechanism as provided under Article 12.1 of the Pilot Agreement for Procurement of Power dated 26.10.2018.

3. After hearing the learned counsels for the parties, the Commission reserved order in the Petition.

By order of the Commission

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