

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 17/RP/2019

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

Date of Order: 7th of November, 2019

In the matter of

Petition under Section 94 (1) (f) of the Electricity Act, 2003 read with Regulation 103 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for review of the order dated 30.5.2019 read with corrigendum dated 26.6.2019 passed in Petition No. 227/MP/2017.

And

In the matter of

Lanco Amarkantak Power Limited
Plot No. 397, Phase-III,
Udyog Vihar, Gurgaon, Haryana

...Review Petitioner

Vs.

1. Power Grid Corporation of India Limited
Qutub Institutional Area, Katwaria Sarai,
New Delhi-110 016.

2. Power Trading Corporation of India Limited
2nd Floor, NBCC Tower, 15, Bhikaji Cama Place,
New Delhi-110 066.

3. Haryana Power Purchase Centre,
End Floor,
Shakti Bhawan, Sector-6, Panchkula-134 016,
Haryana

4. Chhattisgarh State Power Trading Company Limited
2nd Floor, Vidyut Sewa Bhawan,
Dabnganiya, Raipur-492 013, Chhattisgarh

....Respondents

Parties Present:

Shri Deepak Khurana, Advocate for the Petitioner
Mr. Suparna Srivastava, Advocate, PGCIL

ORDER

The Review Petitioner, Lanco Amarkantak Power Limited, has filed the present Review Petition seeking review of the order dated 30.5.2019 in Petition No. 227/MP/2017 praying for interest on the principal amount directed to be refunded from the date on which the excess transmission charges were recovered by PTC India Ltd. from the Review Petitioner. The Review Petitioner has submitted that even though a prayer for interest was made in the Petition, the Commission did not grant interest on the said amount which is an error apparent on the face of the record.

2. During the course of hearing on 6.11.2019, learned counsel for the Respondent, Power Grid Corporation of India Limited submitted that PTC India Ltd. has filed an Appeal against the impugned order dated 30.5.2019 before the Appellate Tribunal for Electricity (APTEL). Vide order dated 3.9.2019 in IA No. 1261 of 2019 in Appeal No. 242 of 2019, APTEL has partly stayed the Commission's order and directed PGCIL not to recover the disputed amount of 5% of LTA charges, if accrued during the pendency of appeal.

3. Learned counsel for the Review Petitioner sought permission to withdraw the Review Petition with liberty to approach the Commission after the decision of the APTEL in the said appeal. Learned counsel requested to adjust the filing fee paid in the present Review Petition, against the Petition to be filed by the Review Petitioner in the matter in future.

4. The prayer of the Review Petitioner is allowed. Accordingly, Review Petition No. 17/RP/2019 is disposed of as withdrawn.

Sd/-
(Dr. M.K.Iyer)
Member

sd/-
(P.K.Pujari)
Chairperson