

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 411/MP/2019

Subject : Petition under Regulation 31(6) of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 read with Regulation 44(8) and 44(7) of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019, for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during the financial year 2018-19 in respect of Teesta Low Dam-III Power Station.

Petitioner : NHPC Limited (NHPC)

Respondent : West Bengal State Electricity Distribution Company Limited (WBSEDCL)

Petition No. 412/MP/2019

Subject : Petition under Regulation 31(6) of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 read with Regulation 44(8) and 44(7) of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019, for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during the financial year 2018-19 in respect of Teesta Low Dam-IV Power Station.

Petitioner : NHPC Limited (NHPC)

Respondent : West Bengal State Electricity Distribution Company Limited (WBSEDCL)

Date of Hearing : 18.6.2020

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member

Parties present : Shri Rajiv S. Dvivedi, Advocate, NHPC
Shri M. G. Gokhale, NHPC
Ms. Anushree Bardhan, Advocate, WBSEDCL
Ms. Tanya Sareen, Advocate, WBSEDCL

Record of Proceedings

The matters were listed for hearing through video conferencing.



2. Learned counsel for the Petitioner submitted that the instant Petitions have been filed, *inter-alia*, for recovery of shortfall in energy charges due to shortfall in generation during the financial year 2018-19 on account of reasons beyond the control of the Petitioner in respect of its Teesta Low Dam-III and Dam-IV Power Stations respectively. Learned counsel for the Petitioner requested to issue notice to the Respondent.

3. Learned counsel for the Respondent, West Bengal State Electricity Distribution Company Limited (WBSEDCL) accepted notice and requested for time to file reply to the Petitions.

4. After hearing the learned counsels for the Petitioner and WBSEDCL, the Commission admitted the Petitions. The Commission directed the Petitioner to serve copy of the Petitions on the Respondent immediately, if not already served. The Respondent was directed to file its reply by 10.7.2020 with advance copy to the Petitioner who may file its rejoinders, if any, by 25.7.2020.

5. The Commission further directed the Petitioner to file the following details/information on affidavit by 15.7.2020:

(a) Design Energy calculation (in MS Excel) as approved by CEA;

(b) Methodology for calculating daily maximum possible generation during the financial year 2018-19 as claimed in the Petition (in MS Excel);

(c) Planned/Forced Outages certified by CEA/NRLDC and its correlation with generation data vis-a-vis available average inflows during the period of outages;

(d) Daily generation report for the days for which energy shortfall has been claimed due to planned/forced outages, reservoir silt flushing and transmission constraints, etc.;

(e) Day-wise details of scheduled energy, actual energy injected in the grid and energy accounted for in DSM along with the revenue earned from the DSM for such energy; and

(f) Any other relevant information/document to justify the claims in the Petition.

6. The Commission directed that due date of filing of reply, rejoinder and details/information should be strictly complied with.

7. The Petitions 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)

