

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

**Shri A.H.Jung, Member**

**Petition No. 9/2003**

**In the matter of**

Payment of outstanding dues by APTRANSCO to GRIDCO for the period from January, 2001 to July, 2001

**And in the matter of**

Grid Corporation of Orissa Ltd., Bhubaneswar      ...      **Petitioner**  
**Vs**  
Transmission Corporation of Andhra Pradesh Ltd., Hyderabad  
**Respondent**

**Following were present:**

1. Shri R.K.Mehta, Advocate, GRIDCO
2. Ms. Suman Kukreti, Advocate, GRIDCO
3. Shri Sanjay Sen, Advocate, APTRANSCO
4. Shri N. Sree Ramachandra, APTRANSCO
5. Shri G.V.Narayana Rao, APTRANSCO

**ORDER  
(DATE OF HEARING: 6.9.2006)**

Heard Shri R.K.Mehta, Advocate for the petitioner and Shri Sanjay Sen, Advocate for the respondent, APTRANSCO.

2. The learned Counsel for the petitioner has submitted that vide order dated 26.5.2006 APTRANSCO was allowed four weeks time to submit details of dues claimed by APGENCO in respect of Muchkund HEP but these details were submitted on 21.9.2006. Because of late submission of details by APTRANSCO, he could not file the reply in time. The learned counsel for the petitioner further submitted that the respondent was also directed to place on record all relevant correspondence including documents relating to sharing of generation from Muchkund HEP but no documents have been provided by the respondent.

3. The learned counsel for respondent submitted that since the dues pertain to a very old period starting from 1974, bills raised by erstwhile APSEB on erstwhile OSEB are not available. Therefore he has submitted year-wise statement of O & M charges and energy charges for Muchkund HEP based on records now available with APGENCO. Learned counsel for the respondent has submitted that relevant records are voluminous and therefore these may be inspected by the petitioner. Learned counsel has also pointed out that a letter of APGENCO dated 27.3.2001 as well as letter of OHPC dated 5.7.2001 have been enclosed along with its affidavit dated 19.7.2006 wherein the details of the dues payable by OHPC and dues of Rs. 711 lakh for the period 1997-98 to 1999-2000 have been mentioned. In the said letter, OHPC has also stated that the petitioner shall furnish reply in respect of dues for the prior period.

4. The petitioner is directed to file its reply in respect of affidavit filed by respondent within four weeks of issue of the order. Respondent is also directed to furnish the copy of previous records/correspondence to the petitioner claiming dues from OSEB or its successor entity latest by 30.9.2006. The petitioner may file its reply, if any, by 15.10.2006.

5. Vide my order dated 26.5.2006 I had directed that APGENCO and OHPC be impleaded as party-respondents. Accordingly, notice was issued to them. None has appeared. I direct that fresh notice shall issue to them for the next hearing.

6. Meanwhile, the petitioner and the respondent are directed to file the following information duly supported by affidavit latest by 15.10.2006:

(a) Details of the dues admitted by OHPC and GRIDCO which are payable to APGENCO for O&M charges and energy charges and the entity responsible for payment of dues for the period prior to re-organization of OSEB;

(b) Dues, if any payable by the petitioner to OHPC for supply of energy.

7. The petitioner has filed an affidavit for seeking some more time for a joint meeting between Principal Secretaries of States of Andhra Pradesh and Orissa to carry forward the process of reconciliation.

8. Principal Secretaries of the State of Andhra Pradesh and Orissa shall hold a joint meeting to sort out the issue through the process of mutual discussion and parties shall file their outcome of such discussion latest by 31.10.2006.

9. During the hearing on 26.6.2006, learned Counsel for the petitioner undertook that the transmission business earlier has been transferred to a new entity, Orissa Power Transmission Corporation in June, 2005 and submitted that he would address the issue of transfer at the appropriate time and if necessary, substitution of parties would be carried out. Learned Counsel for the petitioner submitted that he had already made an application for substitution of OPTC as the petitioner, but was yet to pay the court fee prescribed. The office shall process the application after payment of fee, which learned Counsel for the petitioner undertook to deposit. .

10. List this petition before me on 8.11.2006 for further directions.

Sd-/  
**(A.H.JUNG)**  
**MEMBER**

**New Delhi, dated the 12th September 2006**