

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

- 1. Dr. Pramod Deo, Chairperson**
- 2. Shri Bhanu Bhushan, Member**
- 3. Shri R. Krishnamoorthy, Member**

**Petition No. 12/2008
(Suo motu)**

In the matter of

Default in payment of Unscheduled Interchanges (UI) charges for the energy drawn in excess of the drawal schedule,

And in the matter of

Meghalaya State Electricity Board

..... **Respondent**

ORDER

General Manager, North Eastern Regional Load Despatch Centre (NERLDC), vide his letter dated 13.12.2007 reported that an amount of Rs.30.5 crore was outstanding against the respondent as arrears of UI charges for the period up to 30.11.2007. It was further reported that the efforts made by NERLDC to persuade the respondent to liquidate the entire amount of arrears did not yield any useful results. It was informed that the constituents of North Eastern Region, including the respondent had earned revenue by exporting surplus power to other regions by bilateral sale through short-term open access. The respondent, however, did not utilize the earnings from such sale to settle its UI accounts. The

total energy sold by the respondent through such bilateral transactions during April to September 2007 was reported to be 91.38458 MU.

2. In view of the above noted facts, a notice was issued to the respondent by order dated 4.2.2008. In its reply vide affidavit dated 27.3.2008, the respondent, *inter alia*, explained that it had paid a sum of Rs.13 crore and also adjusted another sum of Rs.27.39 crore through UI pool account. The respondent also undertook to liquidate the balance outstanding UI dues by August 2008.

3. Taking note of the submissions made by the respondent and the fact that an amount of Rs.22 crore (approximately) was due as on 1.4.2008, the Commission, vide its order dated 24.4.2008, allowed the respondent to liquidate the entire UI dues by August 2008 by paying not less than Rs.5 crore every month starting from May 2008, in addition to the timely payment of current UI dues, if any.

4. The respondent has filed a fresh affidavit dated 17.6.2008 requesting that it be allowed to make payment towards outstanding UI amount from July 2008 at the rate of Rs.4 crore per month so as to settle the entire amount by December 2008.

5. From the above account it follows that the respondent has contravened the Commission's directions as contained in the order dated 24.4.2008, which

was based on an undertaking given by it on oath. In the circumstances, the respondent is directed to show cause, latest by 25.7.2008, as to why penalty under Section 142 of the Electricity Act, 2003 for non-compliance of the directions of the Commission, be no imposed on it.

6. List for further directions on 31.7.2008.

Sd/-
(R KRISHNAMOORTHY)
MEMBER

Sd/-
(BHANU BHUSHAN)
MEMBER

Sd/-
(DR. PRAMOD DEO)
CHAIRPERSON

New Delhi dated 4th July, 2008