

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

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

**Petition No. 55/2008  
(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**

MP Power Trading Corporation Limited

..... **Respondent**

**ORDER**

It was reported by the Executive Director (SO & NRLDC), PGCIL that an amount of Rs.197 crore was outstanding against the respondent as arrears of UI charges as on 24.3.2008. On further clarification, it was found that the amount of arrears had increased to Rs.298.39 crore as on 30.4.2008. On consideration of these facts, a notice was issued to the respondent, by order dated 9.5.2008, directing it to explain as to why action for recovery of outstanding UI amount along with interest thereon be not taken. The respondent was further directed to explain as to why a recommendation be not made to the Central Government for appropriating the outstanding UI dues from the Central Plan Assistance earmarked for the State of Madhya Pradesh. Meanwhile, the amount of arrears on account of UI increased to Rs.333.98 crore as on 29.5.2008.

2. On consideration of the reply of the respondent as contained in its affidavit dated 27.5.2008, the Commission by order dated 4.6.2008 directed the respondent to take necessary action to liquidate the entire principal amount of UI arrears in four equal monthly instalments of Rs.85 crore per month starting from June 2008. It was further directed that in October 2008, the respondent would pay the interest on dues which got accumulated and remained outstanding till September 2008. The respondent was also directed to make timely payment of current UI dues, if any, as per weekly UI statement issued by Western Regional Power Committee secretariat.

3. General Manager, Western Regional Load Despatch Centre (WRLDC), by his fax message dated 2.7.2008 has communicated the status of payment of UI charges by the respondent as follows:

Dues as on 29.5.2008 (Rs.)	Payment made after 29.5.2008 (Rs.)	Dues as on 2.7.2008 (Rs.)	Payment Overdue (Rs.)
333,97,62,487	NIL	265,77,99,782*	313,37,76,102

**\*After adjusting UI receivables by the respondent for under-drawal.**

4. From the report of WRLDC, it follows that the respondent has not made any payment in terms of the Commission's order dated 4.6.2008. In the circumstances, the respondent is hereby 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 not imposed on it.

5. Meanwhile, the respondent has made an interlocutory application (IA No. 8/2008).

6. List this petition along with the interlocutory application for further directions on 31.7.2008.

**Sd/-**  
**(R KRISHNAMOORTHY)**  
**MEMBER**

**Sd/-**  
**(BHANU BHUSHAN)**  
**MEMBER**

**Sd/-**  
**(DR. PRAMOD DEO)**  
**CHAIRPERSON**

**New Delhi dated 4<sup>th</sup> July, 2008**