

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

- 1. Shri Ashok Basu, Chairperson**
- 2. Shri Bhanu Bhushan, Member**
- 3. Shri A.H.Jung, Member**

Petition No. 19/2006

In the matter of

Linking of incentive payment to availability instead of Scheduled Plant
Load Factor

And in the matter of

Neyveli Lignite Corporation Ltd., Chennai ... **Petitioner**
Vs

1. Tamil Nadu Electricity Board, Chennai
2. Electricity Deptt. UT Secretariat, Chandigarh
3. Delhi Transco Limited, New Delhi
4. Haryana Vidyut Prasaran Nigam Ltd., Panchkula
5. Himachal Pradesh State Electricity Board, Shimla
6. Power Development Deptt. Govt. of J&K, Jammu
7. Punjab State Electricity Board, Patiala
8. Rajasthan Rajya Vidyut Prasaran Nigam Ltd., Jaipur
9. Uttar Pradesh Power Corporation Ltd., Lucknow
10. Uttaranchal Power Corporation Ltd, Dehradun
11. Tehri Hydro Development Corporation Ltd., Noida
12. Northern Central Railway, Allahabad
13. Chattisgarh State Electricity Board, Raipur
14. Electricity Deptt., Govt. of Goa, Panji
15. Gujarat Urja Vikas Nigam Ltd., Vadodara
16. Madhya Pradesh State Electricity Board, Jabalpur
17. Maharashtra State Electricity Distribution Co, Ltd.. Mumbai
18. Electricity Deptt. Govt. of Daman & Diu Administration, Daman
19. Electricity Deptt, Union Territory of Dadra & Nagar Haveli, Silvassa
20. Bombay Suburban Electric Supply Co.Ltd., Mumbai
21. Transmission Corporation of Andhra Pradesh, Hyderabad
22. State Power Purchase Co-ordinate Centre, Bangalore
23. Tamil Nadu Electricity Board, Chennai
24. Kerala State Electricity Board, Trivandrum
25. Electricity Deptt., Govt of Pondicherry, Pondicherry
26. Bihar State Electricity Board, Patna
27. Damodar Valley Corporation, Kolkatta
28. Jharkhand State Electricity Board, Jharkhand
29. Orissa Power Generation Corporation Ltd., Bhubaneswar
30. Orissa Hydro Power Corporation Ltd., Bhubaneswar
31. Deptt. of Power, Govt. of Sikkim, Gangtok
32. West Bengal State Electricity Board, Calcutta
33. CESC Limited, Kolkatta
34. Grid Corporation of Orissa Ltd., Bhubaneswar
35. Deptt. of Power, Govt. of Arunachal Pradesh, Itanagar
36. Assam State Electricity Board, Guwahati
37. Electricity Deptt., Govt. of Manipur, Imphal
38. Meghalaya State Electricity Board, Shillong

39. Power and Electricity Deptt., Govt. of Mizoram, Aizwal
 40. Electricity Deptt., Govt. of Nagaland, Kohima
 41. Tripura State Electricity Corporation Ltd, Agartala
 42. Satlej Jal Vidyut Nigam Ltd., New Shimla
 43. North Eastern Electric Power Corporation, Shillong
 44. National Hydro Electric Power Corporation Ltd., Faridabad
 45. National Thermal Power Corporation Ltd, New Delhi
 46. Nuclear Power Corporation of India Ltd., Mumbai
 47. Narmada Hydro Electric Development Corporation Ltd., Bhopal
 48. Northern Regional Power Committee, New Delhi
 49. Western Regional Power Committee, Mumbai Kolkatta
 50. Southern Regional Power Committee, Bangalore
 51. Eastern Regional Power Committee, Kolkatta
 52. North-Eastern Regional Power Committee, Shillong
 53. Power Grid Corporation of India Ltd., New Delhi
 54. Northern Regional Load Despatch Centre, New Delhi
 55. Western Regional Load Despatch Centre, Mumbai
 56. Eastern Regional Load Despatch Centre, Kokatta
 57. Southern Regional Load Despatch Centre, Bangalore
 58. Northern Eastern Regional Load Despatch Centre, Shillong
 59. Central Electricity Authority, New Delhi
- Respondents**

Following were present:

1. Shri R. Suresh, NLC
2. Shri S.Ramachandran, NLC
3. Shri K.Srinivasa Rao, SRPC
4. Shri S.K.Sarang, OHPC
5. Shri Ajay Dua, NTPC
6. Shri Surendra, NTPC
7. Shri Manjit Singh, WRPC

ORDER
(DATE OF HEARING: 26.9.2006)

This petition has been filed for linking of incentive payment to plant availability instead of scheduled Plant Load Factor, as at present.

2. The Commission by its order dated 6.6.2006 had directed the petitioner to circulate a comprehensive paper on the subject to all concerned, the central generating companies, RLDCs and RPCs, and the State utilities and all others, who were directed to file their views on the proposal.

3. Some of the Central /State utilities and the stakeholders have filed replies to the paper circulated by the petitioner. However, none has appeared on behalf of the State Utilities.

4. Heard the representative of the petitioner and NTPC. It has been stated on behalf of NTPC that paper circulated does not incorporate all the details necessary for proper appreciation of the issues involved. The representative of NTPC has submitted that the petitioner should circulate a revised comprehensive paper incorporating its views on the subject in the absence of which the State utilities and other stakeholders may feel handicapped to respond.

5. The representative of the petitioner has agreed to circulate a revised comprehensive paper on the subject, to be prepared in consultation with NTPC. As the issue is of vital significance, and as part of the overall consultative process, we direct that the petitioner and NTPC will jointly prepare a comprehensive paper and circulate it among the Central/State utilities, RLDCs/RPCs and all others concerned, along with a copy of the order, a confirmation for which will be submitted by the petitioner/NTPC along with the list of the persons to whom the revised paper has been circulated.

6. Meanwhile, on the request of representative of the petitioner, the present petition stands dismissed since it has become infructuous.

7. The date of hearing will be fixed after receipt of confirmation regarding circulation of the revised paper from the petitioner/NTPC.

Sd/-
(A.H.JUNG)
MEMBER

sd/-
(BHANU BHUSHAN)
MEMBER

sd/-
(ASHOK BASU)
CHAIRPERSON

New Delhi, dated the 26th September 2006