

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. Shri Ashok Basu, Chairman
2. Shri K.N. Sinha, Member
3. Shri A.H. Jung, Member

Petition No. 24/2005

In the matter of

Non-payment of Unscheduled Interchange (UI) charges by Bihar State Electricity Board (JSEB), Ranchi.

And in the matter of

Eastern Regional Load Despatch Center, Kolkata

Petitioner

Vs

1. Bihar State Electricity Board, Patna
 2. Jharkhand State Electricity Board, Ranchi
 3. Grid Corporation of Orissa, Bhubaneswar
 4. Damodar Valley Corporation, Kolkata
 5. West Bengal State Electricity Board, Kolkata
 6. Power Department, Govt. of Sikkim, Sikkim
 7. National Thermal Power Corporation Ltd., ERHQ, Patna
 8. National Hydro Power Corporation, Faridabad
 9. Member Secretary, EREB, Kolkata
- Respondents**

The following were present:

1. Shri S.K. Banerjee, ERLDC
2. Shri P. Mukherjee, ERLDC
3. Shri S. Atiq Ullah, BSEB
4. Shri M.K. Mishra, MS, EREB
5. Shri Anshuman Ashok, EREB
6. Shri Swapna Seshadhri, EREB
7. Shri K. Ganesan, EREB
8. Shri P.K. Bagchi, WBSEB
9. Shri R.K. Das Gupta, DCE(Elec.), DVC
10. Shri C. Karmakar, DVC
11. Shri K.K. Sinha, NTPC

**ORDER
(DATE OF HEARING: 7.6.2005)**

The petitioner seeks direction to the first respondent, Bihar State Electricity Board for clearing of dues of UI charges as on date of filing of the

application together with interest prescribed under Clause 13 of Annexure I of IEGC, till the date of payment of UI dues. A further direction is sought that in future, the respondent shall make payment of UI charges within the stipulated period of 10 days of issue of the UI accounts by the petitioner.

2. The petitioner has alleged that the first respondent, consequent to overdrawal of power, has become liable to pay UI charges. It is stated that UI amount payable by the respondent to Eastern Region pool stood at Rs.54.63 crore as on 6.2.2005, excluding interest due to delayed payment. It is alleged that despite all efforts, the issue of non-payment of UI charges by the first respondent has remained unresolved. Therefore, the present petition is filed for directions noted above.

3. The first respondent, BSEB has admitted to overdrawal of power from Eastern Regional Grid, reportedly because of low availability of power from NTPC power stations in the region. As a consequence, it is stated, during the period March 2004 to September 2004, the cost of extra power on account of UI accumulated to the tune of Rs.50 crore. It is stated that during March 2005, the first respondent paid a sum of Rs.5 crore to the petitioner against outstanding dues and further tried to balance the UI outstanding by Rs.2.9 crore by way of return on energy in the grid.

4. Heard Shri S.K. Banerjee for the petitioner and Shri S. Atiq Ullah for the first respondent, BSEB. Shri Atiq Ullah, Chief Engineer, BSEB has submitted that the outstanding amount on account of UI along with interest at the rate prescribed by the Commission shall be paid in three monthly

instalments; commencing on 25.6.2005. He has further submitted that every effort shall be made to curtail overdrawals from the regional grid to reduce the liability for payment of UI charges. He has undertaken that in case for any reason, the respondent is forced to overdaw power from the regional grid, UI account will be settled within 10 days of the billing by the petitioner.

5. We accept the undertaking given on behalf of the first respondent. We make it clear that the first respondent shall remain bound by the undertaking given at the hearing and any default will attract appropriate action against the first respondent and the officers responsible, in accordance with law.

6. With the above, the petition stands disposed of.

Sd/-
(A.H. JUNG)
MEMBER

Sd/-
(K.N. SINHA)
MEMBER

Sd/-
(ASHOK BASU)
CHAIRMAN

New Delhi dated the 7th June 2005