

**CENTRAL ELECTRICITY REGULATORY COMMISSION**  
**NEW DELHI**  
**Record of Proceedings**

**Petition No.19/2009**

- Coram : Dr. Pramod Deo, Chairperson  
Shri S.Jayaraman, Member  
Shri V.S.Verma, Member  
Shri M. Deena Dayalan, Member
- Date of Hearing : 11.3.2010
- Subject : Petition under Section 79 (i) (f) of the Electricity Act, 2003 against Damodar Valley Corporation for non-supply of power allocated to the National Capital Territory of Delhi in accordance with the Power purchase agreement dated 24.8.2006 entered into between Damodar Valley Corporation and Delhi Transco Limited, and thereafter re-assigned to the three Discoms of Delhi vide Delhi Electricity Regulatory Commission's Order dated 31.3.2007.
- Petitioners : 1. BSES Rajdhani Power Limited, New Delhi  
2. BSES Yamuna Power Limited, Delhi  
3. North Delhi Power Limited, Delhi
- Respondents : 1. Damodar Valley Corporation, Kolkata  
2. Delhi Transco Limited, New Delhi  
3. Ministry of Power, Govt. of India, New Delhi
- Parties present : 1. Shri Amit Kapoor, Advocate for the petitioners  
2. Shri Apoorva Mishra, Advocate for the petitioners  
3. Shri Kishan Singh, BSES  
4. Shri Anurag Sansal, NDPL  
5. Shri Bharat Gupta, NDPL  
6. Shri J.R.Das, Advocate, DVC  
7. Shri Swetaketu Mishra, Advocate DVC

Learned counsel for the petitioners submitted that Appellate Tribunal for Electricity vide its judgment dated 10.12.2009 in Appeal No. 161/2009 has upheld the jurisdiction of the Commission to adjudicate the disputes between the licensees and the generating companies in regard to implementation, application or interpretation of provisions of the agreement and also the fixation of rates at which the generating company has to supply power to the Discoms. Learned counsel further

submitted that DVC has filed an appeal before the Supreme Court against the said judgment dated 10.12.2009.

2. Learned counsel for the petitioners requested for an adjournment to file individual statements of claim against the first respondent. The prayer was not opposed by the learned counsel for DVC. Request was allowed.

3. The petition shall be re-notified for hearing on 18.5.2010.

SD/-  
(T.Rout)  
**Joint Chief (Legal)**