

**Central Electricity Regulatory Commission
New Delhi**

RECORD OF PROCEEDINGS

Petition No. 45/2010

Subject: Petition under Section 79 of the Electricity Act, 2003, seeking directions to M.P. Power generating company Ltd (Respondent No. 3) for filing of ARR and petition for determination of tariff in respect of the Rajghat Hydro Power Project before the Commission.

Date of Hearing: 12.8.2010

Coram: Dr. Pramod Deo, Chairperson
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner: Uttar Pradesh Power Corporation Ltd (UPPCL)

Respondents: Secretary Energy Dept, State of M.P., MPSEB, MPGENCO and MPTRADECO,

Parties present: Shri S.N.Mitra, Advocate, UPPCL
Shri Vinay Prakash, Advocate, UPPCL
Shri Anand.K.Ganesan, Advocate, MPPGCL
Shri K.K.Agrawal, MPPTCL

The learned counsel for the petitioner submitted that it may be granted three weeks time to file its rejoinder to the replies filed by MPPTCL and MPPGCL. He also submitted that the dispute in the present petition pertains to share of power from the Rajghat Hydel power project and a similar dispute pertaining to release of power from Matatila and Rihand generating stations in Madhya Pradesh, was pending before the Appellate Tribunal. The learned counsel further submitted that in terms of the suggestions made by the Appellate Tribunal for an amicable settlement of the dispute through an Arbitrator, instructions have been sought for from the petitioner. He also submitted that in case of resolution of disputes through an Arbitrator, clubbing of both the matters could be considered and submissions would be made accordingly during the next hearing.

2. The learned counsel for the respondent MPPGCL submitted that as a generating company, it was not concerned with the said disputes, as it was not a party to the proceedings pending before the Appellate Tribunal.

He also submitted that it was for the respondents, MPPTCL and the petitioner to sort out the disputes between them.

3. The Commission directed the petitioner to file its rejoinder, latest by 13.9.2010, with copy to the respondents.

4. Matter to be re-notified for hearing on 28.9.2010.

Sd/-
T.Rout
Joint Chief (Law)