

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 200/MP/2011

Sub: Miscellaneous petition under Regulation 24 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulation 29-Power to Relax of the Central Electricity Regulatory Commission (Fee and Charges of Regional Load Despatch Centre and other related matters) Regulations, 2009.

Date of hearing : 1.11.2011

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

Petitioner : Power System Operation Corporation Ltd, New Delhi

Respondents : Uttar Pradesh Power Corporation Limited and others

Parties present : Shri V.K.Agarwal, POSOCO
Shri R.K.Bansal, POSOCO
Miss Jyoti Prasad, POSOCO

Record of Proceedings

Through this application, the petitioner Power System Operation Corporation Ltd. (POSOCO) has prayed as under:

- (i) Relax Regulation 9 (2) of the Central Electricity Regulatory Commission (Fee and Charges of Regional Load Despatch Centre and other related matters) Regulations, 2009 and allow utilization of other income of the RLDCs and NLDC for meeting the shortfall in HR expenses of POSOCO subject to truing up after expiry of the control period. The amount utilized for meeting the shortfall in HR expenses of POSOCO shall be deposited in the LDC Development Fund after truing up in accordance with Regulation 5 of the RLDC Fees and Charges Regulation; and
- (ii) Allow NLDC and RLDCs to deposit the fee and charges collected against return on equity, depreciation, interest on loan and other income to LDC Development Fund after meeting the statutory tax requirements as per the provisions of Income Tax Act.

2. After hearing representative of the petitioner, the Commission directed to admit the petition and issue notice to the respondents.

3. The petitioner was directed to serve copy of the petition on the respondents, if already not done, on or before 11.11.2011. The respondents may file their reply on affidavit, latest by 30.11.2011, with advance copy to the petitioner. Rejoinder, if any, may be filed by the petitioner, latest by 14.12.2011.

4. The petition shall be listed for hearing on 22.12.2011.

Sd/-
(T. Rout)
Joint Chief (Law)