

# CENTRAL ELECTRICITY REGULATORY COMMISSION

## Record of Proceedings

### PETITION No. 134/MP/2011

Sub: Petition for clarification on the interpretation of Regulation 5 of the CERC (Unscheduled Inter change Charges and related matters) (Amendment) Regulations, 2010.

Date of hearing : 26.7.2011.

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

Petitioner : Bharat Aluminium Company Ltd, Chhattisgarh

Respondents : Chattisgarh Power Transmission Company  
Ltd.,Raipur  
Chattisgarh State Load Despatch Centre, Raipur

Parties present : Shri Prashanti Chandra Sen, Advocate, BAL

Through this application, the petitioner Bharat Aluminium Company Ltd has prayed as under:

- (a) To declare that the interpretation put forward at para 8 is the correct interpretation of Regulation 5 of the CERC (Unscheduled Inter change Charges and related matters) (Amendment) Regulations, 2010;
- (b) Direct the respondents to refund the earlier excess amount charged, accumulated till 1.5.2011 amounting to ₹ 3,67,07,591 and subsequent addition in the amount till the interim relief order; and
- (c) Pending proceedings in this case, restrain respondent No. 1 from recovering UI charges based on the interpretation of Regulation 5 of the CERC (Unscheduled Inter change Charges

and related matters) (Amendment) Regulations, 2010 till the resolution of the said dispute

2. After hearing learned counsel for the petitioner, the Commission directed to admit the application and issue notice to the respondents.

3. The petitioner was directed to serve copy of the application on the respondents by 5.8.2011, if already not served. The respondents may file their reply by 19.8.2011, with a copy to the applicant. Rejoinder, if any, may be filed by 30.8.2011.

4. The application shall be posted for hearing on 13.9.2011.

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