

**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: 22.2.2011

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, MPPGCL and MPTradeco,

Parties present: Ms. Meenakshi Arora, Advocate, UPPCL  
Shri S.N.Mitra, Advocate, UPPCL  
Shri A.K.Singh, UPPCL  
Shri G.Umapathy, Advocate, MPPTCL  
Ms. Sudha Umapathy, Advocate, MPPTCL  
Ms. V.Sneha, Advocate, MPPGCL

The learned counsel for the petitioner began submissions in the matter giving a detailed background of the issues involved. However, the submissions could not be completed due to paucity of time and would continue in the next date of hearing.

2. The learned counsel for the respondent, MPPTCL submitted that the issues raised in the petition pertain to sharing of 50% of the cost of the project by UPPCL, the supply of power by MPPTCL and compensation if any, to UPPCL for non-supply of the said power.

3. The learned counsel for the respondent, MPPGCL submitted that as per notification of the State Govt. of Madhya Pradesh dated 30.9.2003, MPPGCL has succeeded to the generation activities of erstwhile MPSEB and in terms of the notification dated 3.6.2006 all functions of bulk purchase of electricity from the generating station stand transferred to the respondent, MPPTCL and no supply of power was made to any other person except MPPTCL.

4. On a specific query by the Commission as to whether MPPGCL has filed its tariff petition before the M.P. State Regulatory Commission, the learned counsel replied in the affirmative.

5. The Commission directed the parties to advance its submissions on the 'question of jurisdiction of the Commission' to deal with the matter, during the next date of hearing.

6. By consent of the parties, matter is listed for hearing on 29.3.2011.

Sd/-  
T.Rout  
Joint Chief (Law)