

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No.2/RP/2012
In Petition No. 126/MP/2011**

Sub: Review of the order dated 28.11.2011 in Petition No. 126/MP/2011-Petition for short term open access/transmission charges of Uttar Pradesh payable by the petitioner for utilizing the transmission network of the State of Uttar Pradesh while availing inter-State Short Term Open Access through bilateral transactions.

Date of hearing : 14.2.2012

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

Petitioner : Noida Power Company Limited, Noida

Respondents : U.P. Power Transmission Corporation Limited and Others

Parties present : Shri M.G.Ramchandran, Advocate for the petitioner

Record of Proceedings

This review petition has been filed by the petitioner, Noida Power Company Limited with following prayer:

- (a) Review of the order dated 28.11.2011 in Petition No. 126/MP/2011 and others limited to the grant of interest to the petitioner;
- (b) Direct the respondent Nos one to four to refund the excess amount charged by them on account of short term open access charges since 1.10.2009 till 28.11.2011 along with interest @ 18% per annum from the date of excess amount so charged till the date of actual payment; and
- (c) Direct the Respondent Nos. 1 to 4 to refund the said excess amount within 15 days of the passing of the order.

2. The learned counsel for the review petitioner submitted that the Commission had not dealt with the interest issue in the order dated 28.11.2011 though it was specifically raised by the petitioner and is admittedly payable under Section 62 (6) of the Electricity Act, 2003.
3. After hearing the learned counsel for the petitioner, the Commission directed to admit the petition.
4. The Commission directed the petitioner to serve copy of the petition to the respondents latest by 22.2.2012. The respondents were directed to file their replies 13.3.2012 with an advance copy to the petitioner and the petitioner may file its response, if any, on or before 28.3.2012.
5. The petition shall be listed for hearing on 10.4.2012.

By Order of the Commission

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