

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 116/MP/2015**

Subject : Default in payment of Unscheduled Interchanges charges and deviation charges in excess of the drawl schedule by Essar Power MP Limited and default in opening Letter of Credit towards the nonpayment of UI and DSM charges.

Date of hearing : 19.5.2015

Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member

Petitioner : Western Regional Load Despatch Centre

Respondents : Essar Power MP Limited and others

Parties present : Ms. Pragya Singh, WRLDC  
Shri Aditya Das, WRLDC  
Shri Amit Ojha, Advocate, Essar Power

**Record of Proceedings**

The representative of the petitioner submitted as under:

(a) The present petition has been filed under Regulation 10 of Central Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2014 for default in payment of UI/DSM Charges and deviation charges in excess of the drawl schedule by the respondent, Essar Power MP Limited (EPMPL) since inception date i.e. 8.2.2012 and for non-opening of Letter of Credit towards the non-payment of UI and DSM charges.

(b) EPMPL is a generating company having an installed capacity of 1200 MW (2X600MW) at Mahan, Singrauli, Madhya Pradesh. The commissioning activities of its first unit commenced from 8.2.2012 and it also started drawal of power through UI for commissioning activities as per the Connectivity Regulations.

(c) The COD of the first unit was declared on 29.4.2013. After declaration of COD of the first unit, in the absence of permanent connectivity, EPMPL has been selling power through STOA bilateral/Power Exchange and the same has been facilitated by WRLDC as per the provisions of the Central Electricity Regulatory

Commission (Open Access in inter-State in Transmission) Regulations, 2008 through the interim connectivity granted by CTU through LILO of 400 kV Vindhyachal-Korba one ckt. at the EPMPL`s generation bus.

2. In response to the Commission`s query as to why WRLDC did not initiate action against EPMPL for non-compliance of the Regulations, the representative of the petitioner submitted that the issue of non-payment of UI, DSM charges and non-opening of the Letter of Credit were taken up by the petitioner in the several meetings of Western Regional Commercial Committee. However, despite continuous reminders and request, EPMPL has failed to pay the outstanding dues till date and open Letter of Credit.
3. Learned counsel for EPMPL requested for time to file reply to the petition.
4. After hearing the representative of the petitioner and learned counsel for EPMPL, the Commission admitted the petition and directed to issue notice to the respondents.
5. The Commission further directed the petitioner to serve copy of the petition on the respondents immediately. The respondents were directed to file their replies by 29.5.2015 with an advance copy to the petitioner who may file its rejoinder if any, by 8.6.2015.
6. The Commission directed EPMPL to open Letter of Credit within a week and produce the proof of the same during next date of hearing.
7. The Commission directed to list the petition on 18.6.2015.

**By order of the Commission**

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