

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.139/MP/2016**

Subject : Petition under Section 79 (1) of the Electricity Act,2003 read with related provisions of the Chapter-V of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulation 22 (6) (ii) (Chapter-3) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 and Regulation 31 (6) (b) (Chapter-7) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for allowing recovery of Energy Charge shortfall during the period of 2012-13, 2013-14 and 2014-15 as well as the modification of design energy for 2014-15, 2015-16 and 2016-17 for calculation of ECR till the energy charge shortfall of the previous years has been made up for the Ranganadi Hydro Electric Plant (RHEP), where actual energy generated by the station during a year is less than its approved design energy for reasons beyond the control of the generating company (NEEPCO).

Petitioner : North Eastern Electric Power Corporation Limited (NEEPCO)

Respondents : Assam Power Distribution Co.Limited & Others

Date of hearing : 27.10.2016

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

Parties present : Shri P.C. Barman, NEEPCO  
Ms. E. Pyrobot, NEEPCO  
Shri D. Choudhury, NEEPCO  
Shri K. Goswami, APDCL

**Record of Proceedings**

The representative of the petitioner submitted that the present petition has been filed for recovery of energy charge shortfall during the financial years 2012-13, 2103-14 and 2014-15 and for modification of design energy for the financial years 2014-15, 2015-16 and 2016-17 for the purpose of calculation of energy charges.

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

3. The Commission directed the petitioner to serve copy of the petition on the respondents by 11.11.2016. The respondents were directed to file their reply, on affidavit, by 30.11.2016 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before, 16.12.2016. The Commission directed the petitioner and the respondents that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The petition shall be listed for hearing on 27.12.2016.

**By order of the Commission**

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