

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 251/MP/2015**

Subject : Regulatory Compliance application under Regulation 31(6) of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating station during the FY 2014-15 in respect of Chamera-III Power Station.

Date of hearing : 4.2.2016

Coram : Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited and others.

Parties present : Shri Naresh Bansal, NHPC  
Shri Chande Mohan, NHPC  
Shri Piysh Kumar, NHPC  
Shri S.K. Agarwal, Advocate, Rajasthan Discom  
Shri S.P. Das, Advocate, Rajasthan Discom  
Shri B.L. Sharma, Advocate, Rajasthan Discom

**Record of Proceedings**

The representative of the petitioner submitted the present petition has been filed seeking recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of the petitioner during the financial year 2014-15 in respect of Chamera-III Hydro Generating Station as per Regulation 31 (6) of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 (2014 Tariff Regulations). The representative of the petitioner further submitted as under:

(a) The approved annual design energy of Chamera-III Hydro Generating Station is 1108.17 MU. However, during the year 2014-15, the actual scheduled generation was 1006.85 MU due to less inflow as compared to design year inflows.

(b) Due to this shortfall in generation (101.32MU), there was an under recovery of energy charges amounting to ₹ 19.04 crore for reasons not attributable to the petitioner.

(c) The representative of the petitioner requested the Commission to allow Energy Charge Rate (ECR) for the year 2015-16 to be calculated on the basis of reduced generation of 1006.85 MU against design generation of 1108.17 MU in terms of Regulation 31(6)(a) of 2014 Tariff Regulations till the period the petitioner recovers the under recovery of energy charges.

2. Learned counsel for Rajasthan Discoms submitted that under Regulation 31 (6) of 2014 Tariff Regulations, the petitioner needs to specify the reasons beyond its control wherein energy shortfall occurred within or after 10 years.

3. After hearing the representative of the petitioner and learned counsel for the distribution companies of Rajasthan, the Commission admitted the petition and directed to issue notice to the respondents.

4. The Commission directed the petitioner to serve copy of the petition on the respondents immediately. The respondents were directed to file their replies, on affidavit, by 26.2.2016 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 11.3.2016.

5. The Commission directed the petitioner to submit the following information latest by 29.2.2016:

(a) Data of "Average Actual Inflows", as submitted in the petition for the year 2014-15, certified from CEA/CWC;

(b) Rainfall data for the year 2014-15 reported by Indian Meteorological Department for the district in which the plant is situated and for the adjoining districts.

(c) Reconciliation statement of billing for the period 2014-15 clearly indicating the energy scheduled, energy charges billed, the shortfall in recovery of energy charges and any other detail required to arrive at the amount of shortfall as indicated in the petition.

(d) Planned and forced machine outage data certified by CEA/NRLDC and its correlation with energy generation data viz a viz available average inflows during the period of such outage.

6. The Commission directed that due date of filing the information, replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

7. The petition shall be listed for hearing on 31.3.2016.

**By order of the Commission  
Sd/-**

**(T. Rout)  
Chief (Law)**