

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 127/MP/2016

Subject : Petition under Section 79 of the Electricity Act, 2003 for adjudication of the matter between the parties in relation to non-release of Bank Guarantee furnished with respect to Long Term Open Access granted to the petitioner.

Date of hearing : 27.9.2016

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

Petitioner : Ind Barath Energy (Utkal) Limited

Respondent : Power Grid Corporation of India Limited.

Parties present : Shri J. Mohapatra, Advocate, IBEL
Shri Swapnil Verma, PGCIL

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed seeking direction to PGCIL to refund the Bank Guarantee (BG) with respect to 616 MW LTA granted to the petitioner. Learned counsel for the petitioner further submitted that the trial run for COD of Unit-I of the generating station has been successfully completed on 19.7.2016 and the same has been confirmed by ERLDC vide its letter dated 19.7.2016.

2. The representative of the petitioner submitted that the dedicated transmission line has been completed and will be commissioned after carrying out trial operation.

3. The representative of the respondent requested the Commission to direct the petitioner to implead ERLDC as party to the petition. The representative of the respondent further requested the Commission for time to file reply to the petition. Request was allowed by the Commission.

4. After hearing the learned counsel for the petitioner and the representative of the respondent, the Commission directed to issue notice to ERLDC to assist the Commission during the next date of hearing.
5. The Commission directed the petitioner to share copy of the petition with ERLDC immediately, if not already done.
6. The Commission directed the petitioner to file ERLDC`s letter dated 19.7.2016 declaring the COD of unit-I of the generating station.
7. The Commission directed the petitioner to keep the LC valid till the next date of hearing.
8. The petition shall be listed for hearing on 10.11.2016.

By order of the Commission

SD/-

**(T. Rout)
Chief (Legal)**