

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 24/MP/2017**

- Subject : Petition under Section 79 (1) of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for issuing direction to ERLDC /ERPC to accept 'Declared Capacity' or 'DC' of Unit-I of Nabinagar TPP (4X 250 MW) of BRBCL from the successful declaration of COD of Unit-I.
- Date of hearing : 25.4.2017
- Coram : ShriGireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member
- Petitioner : Bhartiya Rail Bijli Company Limited (BRBCL)
- Respondents : East Central Railway and Others
- Parties present : Ms. SwapnaSeshadri, Advocate, BRBCL  
Ms. SaloniSacheti, Advocate, BRBCL  
ShriSanjeev Kumar Varshney, BRBCL  
ShriHemant Singh, Advocate, ECR  
ShriNishant Kumar, Advocate, ECR  
Ms. SuparnaSrivastava, Advocate PGCIL  
ShriDilipRozekar, PGCIL  
ShriSwapnilVerma, PGCIL  
Ms. Jyoti Prasad, PGCIL  
ShriSubhendu Mukherjee, ERLDC  
Ms. ShabariPramanick, ERLDC  
Shri Ashok Rajan, POSOCO  
Shri S.S. Barpanda, NLDC

**Record of Proceedings**

Learned counsel for East Central Railways requested for a weeks' time to file reply to the petition. Learned counsel for the petitioner objected to the request made by the East Central Railways and submitted that the conditions being imposed by ERLDC/ERPC for operationalization of LTA have nothing to do with giving the DC to the generating station of the petitioner.

2. Learned counsel for PGCIL submitted that the power generated byBhartiya Rail Bijlee Company Limited (BRBCL) is primarily for consumption by the Indian Railways and the issues of operationalisation of LTA need to be resolved between the Indian Railways and PGCIL. Learned counsel for BRBCL requested the

Commission to direct ERLDC to accept the DC as given by BRBCL and to reflect the same in REA without linking the same to the operationalization of LTA and scheduling issues as neither 2014 Tariff Regulations nor the Grid Code restrict the acceptance of DC after the successful declaration of COD.

3. After hearing the learned counsels for the parties, the Commission directed the respondents to file their replies by 1.5.2017 if already not filed with an advance copy to the petitioner who may file its rejoinder, if any, by 2.5.2017. The Commission directed that due date of filing replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

4. The Commission directed to list the petition for hearing on 2.5.2017.

**By order of the Commission**

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