

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.21/MP/2018

Subject :Petition under Section 79 (1)(b) of the Electricity Act,2003 for seeking approval of the amendment of tariff for supply of Electricity by the Petitioner to the Respondents pursuant to the allocation of Coal under the scheme for harnessing and allocating Koyala transparently in India SHAKTI to the Petitioner.

Date of hearing : 1.2.2018

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

Petitioner : KSK Mahanadi Power Company Limited

Respondents : TANGEDCO and others

Parties present :Shri Anand K.Ganesan, Advocate, KSKMPCL
Ms. Swapna Seshadri, Advocate, KSKMPCL
Shri Ashwin Ramanathan, Advocate, KSKMPCL
Shri Rajiv Srivastava, Advocate, UPPCL
Shri Arpit Shukla, Advocate, UPPCL
Ms. Mitali Chauhan, Advocate, UPPCL
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri JMK, CSPTCL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking approval for the amendment to the PPA entered into between the Petitioner and Respondents pursuant to the allocation of coal under SHAKTI Policy dated 22.5.2017 and Lols issued by Coal India Limited. Learned counsel further submitted that the PPAs have been signed by all the beneficiaries.

2. Learned counsel for TANGEDCO submitted that the Petitioner has entered into different amended PPAs with all the beneficiaries wherein for AP Discoms, the Petitioner has given GCV value as billed in the invoice of Coal India Ltd. whereas for other utilities it has given on "as fired" basis and it should be uniform. Learned counsel further submitted that the Petitioner should adopt uniform GCV measurement while claiming the relief.

3. The Commission directed the Petitioner to file an affidavit to the effect that it has not filed any petition nor any petition filed by it, is pending before any of the concerned State Commissions.

4. Learned counsel for the Petitioner submitted that the necessary approval to the amendment of the PPA be accorded at the earliest as the deadline for submission of the approval for claiming the relief under SHAKTI Scheme is expiring on 5.2.2018.

5. The Commission observed that the Commission will decide the matter after hearing all concerned parties. Accordingly, the Commission directed to issue first notices to the parties who have not appeared. As regards the expiring of the time for submission of approval in connection with SHAKTI Scheme, the Commission observed that the Petitioner should approach the Govt. for suitable extension of the deadline till the petition is disposed of.

6. The Commission directed the respondents to file their replies, if any, by 8.2.2018 with an advance copy to the Petitioner who may file its rejoinder, if any, by 12.2.2018.

7. The Commission directed to list the petition for hearing on 15.2.2018.

By order of the Commission
Sd/-
(T. Rout)
Chief (Law)