

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No : 260/MP/2018
Alongwith I.A. No. 65/2018**

Subject : Petition under Section 79 (1) (c), 79(1) (b) and 79(1)(f) of the Electricity Act, 2003 against the Respondent No.1 challenging the Notice dated 30.7.2018 for regulating power supply by the Petitioner to its procurers.

Date of Hearing : 28.8.2018

Coram : Shri P. K. Pujari, Chairperson
Shri A. K. Singhal, Member
Dr. M. K. Iyer, Member

Petitioner : KSK Mahanadi Power Company limited

Respondents : Power Grid Corporation of India Limited (PGCIL)

Parties present : Shri Anand K. Ganeshan, Advocate, KMPCL
Ms. Swapna Seshadri, Advocate KMPCL
Ms. Suparna Srivastava, Advocate, PGCIL
Shri Rajiv Srivastava, Advocate, UPPCL
Shri V. Srinivas, PGCIL
Ms. Anita Srivastava, PGCIL
Shri K. K. Jain, PGCIL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed challenging the notice dated 30.7.2018 issued by PGCIL for regulation of power supply of the Petitioner due to default in payment of transmission charges. Learned counsel submitted that after filing of the Petition, the Petitioner vide its letter dated 17.8.2018 approached PGCIL giving a commitment to make payment of the outstanding dues of Rs. 53 crore in the first week of September, 2018. PGCIL vide its letter dated 23.8.2018 has agreed to keep the implementation of regulation of power supply on hold for the time being.

2. Learned counsel of PGCIL confirmed that PGCIL vide its letter dated 23.8.2018 has asked the Petitioner to comply with its commitment latest by 5.9.2018 failing which PGCIL shall be constrained to implement the regulation of power supply with effect from 8.9.2018

3. Keeping in view the submission of the learned counsels for the Petitioner and PGCIL that the notice for regulation of power supply has been kept on hold on the

commitment of the Petitioner to pay the outstanding dues upto 5.9.2018, the Commission observed that the IA has become infructuous and accordingly disposed of the IA No. 65/2018.

4. The Commission admitted the Petition and directed to issue notices to the respondents. The Commission directed the respondents to file their replies, by 17.9.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 28.9.2018. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account. The Petition shall be listed for hearing in due course for which separate notice shall be issued.

5. Learned counsel for the Petitioner submitted that the Petitioner has filed the Petition No. 264/MP/2018 against the termination notice dated 1.8.2018 issued by PGCIL for the termination of the Transmission Services Agreement dated 5.12.2012 on account of non-opening of LC. The Commission directed to list the petition for hearing on admission on 30.8.2018.

By order of the Commission

Sd/-
T. Rout
Chief (Law)