

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.289/MP/2018

Subject :Petition invoking Section 79(1)(b) and (f) of the Electricity Act, 2003 seeking payment of Capacity Charges and Transmission Charges as per the applicable provisions of the PPAs dated 18.1.2014 and 20.1.2014.

Date of Hearing : 15.11.2018

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

Petitioner : MB Power (Madhya Pradesh) Limited (MBPMPL)

Respondents : Uttar Pradesh Power Corporation Limited and Others

Parties present :Shri AmitKapur, Advocate, MBPMPL
Shri Akshat Jain, Advocate, MBPMPL
Shri Ashutosh K. Srivastava, Advocate, MBPMPL
Shri Abhishek Gupta, MBPMPL
Shri Rahul Sharma, MBPMPL
Shri Rajiv Srivastava, Advocate, UPPCL
Shri Arpit Shukla, Advocate, UPPCL
Ms. Harshita Sinha, Advocate, UPPCL
Shri Ravi Kishore, Advocate, PTC India
Ms. Rajshree Chaudhary, Advocate, PTC India

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed for seeking direction to Uttar Pradesh Power Corporation Ltd. (UPPCL) for payment of Capacity Charges and Transmission Charges for the period from 1.4.2017 to 16.5.2017, as per the applicable provisions of the PPAs dated 18.1.2014 and 20.1.2014. Learned counsel for the Petitioner further submitted that despite the Petitioner's project being fully available to dispatch UPPCL's share of power, UPPCL did not schedule its full share of power and unilaterally deducted the amounts pertaining to capacity and transmission charges from the bills raised by the Petitioner and PTC India Ltd.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the petition and directed to issue notice to the respondents.

3. Learned counsels for UPPCL and PTC India accepted the notice on behalf of UPPCL and PTC India, and requested for four weeks time to file their respective replies.

4. The Commission directed the Petitioner to serve copy of the petition on the respondents immediately, if not served already. The respondents were directed to file their replies, by 14.12.2018, with an advance copy to the Petitioner, who may file its rejoinder,

if any, by 31.12.2018. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

5. The petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T. D.Pant)
Deputy Chief (Law)**