

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.116/MP/2019

Subject : Petition under Section 79 (1)(f) of the Electricity Act, 2003 read with CERC Tariff Regulations, 2014 for resolution of disputes regarding payment of capacity charges for the allocated capacity

Date of hearing : 12.6.2019

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

Petitioner : Kanti Bijlee Utpadan Nigam Limited (KBUNL)

Respondents : Jharkhand Bijli Vitran Nigam Limited and others (JBVNL)

Parties present : Shri Ashwin Ramanathan, Advocate, KBUNL
Shri Abhinav Jindal, KBUNL
Shri Sukruinder Singh, KBUNL
Shri Shailendra Singh, KBUNL

Record of Proceedings

Learned counsel for the Petitioner, KBUNL submitted that the present Petition has been filed for seeking resolution of disputes which have arisen with Respondents No. 1 to 5 with regard to short payment/non-payment of capacity charges for the allocated capacity and being supplied by the Petitioner to the Respondents Nos. 1 to 5 under the respective PPAs entered into with them. Learned counsel submitted that no beneficiaries, except one i.e. Bihar(NDPDCL and SBPDCL), paid the capacity charges. Learned counsel for the Petitioner requested the Commission to issue notice to the Respondents.

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

3. 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 5.7.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 19.7.2019. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. 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)**