

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 328/MP/2018

Subject : Petition under Regulation 31(6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during the FY 2017-18 in respect of Sewa-II Power Station.

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited & Others.

Petition No. 329/MP/2018

Subject : Petition under Regulation 31(6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating station during the FY 2016-17 in respect of Dhauliganga Power Station.

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited & Others.

Petition No. 348/MP/2018

Subject : Petition under Regulation 31(6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during the FY 2016-17 in respect of Chamera-II Power Station.

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited & Others.

Petition No. 369/MP/2018

Subject : Petition under Regulation 31(6) of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recoupment of under recovered energy charges due to shortfall in energy generation for reasons beyond the control of the generating

station during the FY 2016-17 in respect of Bairasiul Power Station.

Petitioner : NHPC Limited

Respondents : Punjab State Power Corporation Limited & Others

Petition No. 330/MP/2018

Subject : Petition under Regulation 31(6) and Regulation 54 and 55 of CERC (Terms and Conditions of Tariff) Regulations, 2014 for recovery of shortfall in energy charges due to reasons beyond control of Teesta Low Dam-III Power Station and recovery of shortfall in capacity charge under Regulation-54&55 due to agitation by GJMM in FY 2017-18.

Petitioner : NHPC Limited

Respondent : WBSEDC Limited

Date of Hearing : 2.5.2019

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

Parties present : Shri Prashant Kaul, NHPC
Shri A.K. Pandey, NHPC
Shri Jitender Kumar, NHPC
Shri Pitush Kumar, NHPC
Shri V.N.Tripathy, NHPC
Shri Dhanush.C.K., NHPC
Ms. Seema Mishra, NHPC
Ms. Swapna Seshadri, Advocate, PSPCL
Ms. Anushree, WBSEDCL
Ms. Tanya Sareen, WBSEDCL

Record of Proceedings

The representative of the Petitioner submitted that the present Petitions have been filed inter-alia to allow the petitioner to recover energy charges against the shortfall in generation and for modification of design energy for recovery of allowable energy charges.

2. Learned counsel for the Respondent, PSPCL opposed the admissibility of the petitions and submitted that in Petition No. 328/MP/2018, the Petitioner is claiming the

energy charges for the year 2017-18 which is to be recovered in the subsequent year. Learned counsel requested the Commission that the Petitioner's claims should be considered in terms of the prevailing regulations during that period.

3. After hearing the learned counsel for the Petitioner and the Respondent, the Commission admitted the petitions and directed to issue notices to the Respondents.

4. The Commission directed the Petitioner to serve copy of the petitions on the Respondents immediately, if not served already. The Commission directed the Respondents to file their replies, by 31.5.2019, with an advance copy to the Petitioner, who may file its rejoinders, if any, by 14.6.2019.

5. The Commission directed the Petitioner to file the following information by 31.5.2019.

- (i) Rainfall data reported by IMD for the district in which plant is located and other adjoining districts to correlate low inflows; and
- (ii) Planned/forced machine outage data certified by CEA/NRLDC and its correlation with generation data viz a viz available average inflows during the period of such outages.

6. The Commission directed that due date in filing replies, rejoinders and information should be strictly complied with. No extension shall be granted on that account.

7. The Petitions 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)**