

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Review Petition No. 19/RP/2020
along with I.A No. 43/IA/2020
in Petition No. 284/RC/2019**

Subject : Petition under Section 94(1)(f) of the Electricity Act, 2003 read with Regulation 103 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for review of the order dated 30.12.2019 in Petition No. 284/RC/2019.

Petitioner : NTPC Limited

Respondents : Tamil Nadu Generation and Distribution Corporation Limited

Date of hearing : **20.7.2021**

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

Parties present : Shri Venkatesh, Advocate, NTPC
Shri Ashutosh Kumar Srivastava, Advocate, NTPC
Shri Jayant Bajaj, Advocate, NTPC
Shri Nihal Bhardwaj, Advocate, NTPC
Shri Vinay Kumar Garg, NTPC

Record of Proceedings

Case was called out for virtual hearing.

2. During the hearing 'on admission', the learned counsel for the Review Petitioner, submitted that the present review petition is on limited point that while the sharing of efficiency gain would be carried out on month to month basis for the period 2014-19, however, for computing such efficiency gain the annual GSHR, APC and SFO ought to be considered which will also be annually reconciled between parties. The learned counsel also submitted that though the Draft Regulation 8(3) of the draft 2014 Tariff Regulations originally proposed for sharing of financial gains on account of controllable parameters on monthly basis, the Commission, after considering the views of all stakeholders, provided for sharing of gains with the provision of annual reconciliation. Accordingly, the learned counsel for the Petitioner submitted that if the order dated 30.12.2019 in Petition No.284/RC/2019 is implemented; the words 'with annual reconciliation' will become redundant. The learned counsel for the Petitioner prayed that the delay of 3 days in filing the review petition may be condoned and IA No.43/2020 may be allowed.

3. The delay in filing the review petition was condoned and the Commission 'admitted' the petition and directed to issue notice to the Respondents.

4. The Petitioner is directed to serve the copy of the review petition along with this ROP on the Respondent TANGEDCO, by 30.7.2021. Reply shall be filed by TANGEDCO on or



before 10.8.2021, with advance copy to the Petitioner, who may file its rejoinder, if any, by 17.8.2021.

5. Matter shall be listed for hearing in due course for which separate notice will be issued to the parties.

By order of the Commission

Sd/-
(B.Sreekumar)
Joint Chief (Law)

