

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.133/MP/2022**

Subject : Petition under Regulation 44(6) of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 for recoupment of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during FY 2019-20 & 2020-21 in respect of Chutak Power Station.

Petitioner : NHPC Limited

Respondent : Power Development Department, J&K

Date of Hearing : **13.10.2022**

Coram : Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member

Parties Present : Shri Rajiv Shankar Dvivedi, Advocate, NHPC  
Shri S.K. Meena, NHPC

**Record of Proceedings**

At the outset, the learned counsel for the Petitioner submitted that the present petition has been filed for recoupment of the under recovered energy charges due to shortfall in energy generation, for reasons beyond the control of the Petitioner during the period 2019-21. He also submitted that shortfall in energy generation during the years 2019-20 and 2020-21 were 15.02 Mus and 50.39 Mus, respectively. The learned counsel accordingly prayed that the relief sought for may be allowed.

2. None appeared on behalf of the Respondents. The Commission, after hearing the learned counsel for the Petitioner, issued the following directions:

- (i) Admit. Issue notice to the Respondents;
- (ii) The Petitioner s permitted to file additional information on the following, with advance copy to the Respondents, on or before **7.11.2022**:
  - (a) *The actual inflow data to be certified by CWC;*
  - (b) *Design Energy Calculation (in MS Excel);*
  - (c) *Methodology for calculating daily maximum possible generation during 2019-20 & 2020-21 as claimed in the Petitioner (in MS Excel);*
  - (d) *Planned/ Forced Outages certified by CEA/NRLDC/NRPC/SLDC and its correlation with generation data vis-à-vis available average inflows during the period of outages, if any;*
  - (e) *Day wise details of scheduled energy, actual energy injected in the grid and energy accounted for in DSM along with the revenue earned from the DSM for such energy;*



- (f) *Rainfall data of IMD for the district in which the Plant is located and adjoining districts to correlate the inflows;*
- (g) *Rationale for claiming deemed generation and methodology for adjusting the same.*
- (h) *The daily generation analysis submitted by the Petitioner during high inflow period, overload capacity of 10% has not been utilized fully i.e., unit loading is less than 110% in spite of water availability. Hence, the reason for the same be furnished;*
- (i) *Any other relevant information/ document to justify the claims in the Petition*

3. The Respondent is permitted to file its reply, on or before **23.11.2022** with a copy to the Petitioner, who may file its rejoinder, if any, by **5.12.2022**. Pleadings shall be completed by the parties within the due dates mentioned and no extension of time shall be granted.

4. Subject to the above, order in the petition was reserved.

**By order of the Commission**

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

