

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 199/MP/2019**

- Subject : Petition under Section 79(1)(f) and Section 79(1)(c) of the Electricity Act, 2003 seeking adjudication of disputes between Tata Power Delhi Distribution Limited and Pragati Power Corporation Limited regarding declaration of availability by Pragati Power Corporation Limited and claiming the fixed charges thereto.
- Date of Hearing : 28.6.2022
- Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : Tata Power Delhi Distribution Limited (TPDDL)
- Respondents : Pragati Power Corporation Limited (PPCL) and 8 Ors.
- Parties Present : Shri Buddy Ranganadhan, Advocate, TPDDL  
Ms. Molshree Bhatnagar, Advocate, TPDDL  
Ms. Parichita Chowdhury, Advocate, TPDDL  
Shri Aditya Jain, Advocate, TPDDL  
Shri Pradeep Mishra, Advocate, SLDC Delhi  
Shri Anand Ganesan, Advocate, PPCL  
Shri Amal Nair, Advocate, PPCL  
Shri Anupam Varma, Advocate, BRPL & BYPL  
Shri Rahul Kinra, Advocate, BRPL & BYPL  
Shri Aditya Ajay, Advocate, BRPL & BYPL  
Shri Sheik Shadrudin, POSOCO  
Ms. Anisha Chopra, POSOCO  
Shri Gajendra Sinh Vasava, POSOCO  
Shri Gaurav Gupta, SLDC Delhi  
Shri S. K. Sinha, SLDC Delhi

**Record of Proceedings**

Case was called out for virtual hearing.

2. At the outset, learned counsel for the Respondent No. 2, State Load Despatch Centre, New Delhi (SLDC) informed that the Respondent has filed its reply yesterday. Learned counsel further submitted that the present Petition may be heard together along with Petition No. 122/MP/2021 filed by the Petitioner.
3. Learned counsel for the Respondent No.1, PPCL requested that the present Petition may be listed together with Petition No. 122/MP/2021.
4. Learned counsel for the Petitioner, upon receiving instructions, submitted that the tagging of the present Petition with Petition No. 122/MP/2021 is not required as

both the Petitions have completely different cause of action. The learned counsel further sought a week's time to file rejoinder to reply filed by the Respondent No.2, SLDC.

5. After hearing the learned counsel for the parties, the Commission permitted the Petitioner to file rejoinder within two weeks.

6. The Commission directed the Respondent, Pragati Power Corporation Limited to file the following information on affidavit within two weeks with advance copy to the Petitioner:

(a) Day-wise availability declared on day ahead basis, total power scheduled on day ahead basis, revision in availability along with reasons and actual power supplied during the period between March, 2018 to March, 2019 along with the supporting documents.

(b) All the instances wherein actual generation is more than 450 MW during the period between March, 2018 to March, 2019 along with the supporting documents.

(c) Details of events wherein, the actual generation was lower than schedule given by SLDC along with the reasons for each of such incident during the period between March, 2018 to March, 2019 along with the supporting documents.

(d) Details of events wherein, the upward revision in declared availability after the scheduling is done on the day ahead basis by the SLDC, Delhi, along with the reasons for each of such upward revision.

(e) Information regarding replacement of air filters from April, 2019 to till date and tripping of units due to choking of air filters thereof.

7. The Commission directed the Petitioner to submit all the instances after April, 2019, wherein the energy supplied is lower than schedule given by SLDC and the reasons for each such event.

8. The parties are directed to complete the pleadings within four weeks and no extension of time shall be granted in this regard.

9. The Petition shall be listed for hearing along with Petition No. 122/MP/2021 in due course for which separate notice will be issued.

**By order of the Commission**

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