

**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 and claiming fixed charges thereto.

Petitioner : Tata Power Delhi Distribution Limited

Respondents : Pragati Power Corporation Limited and 8 others

Date of Hearing : **29.11.2022**

Coram : Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Ms. Molshree Bhatnagar, Advocate, TPDDL
Ms. Parichita Chowdhury, Advocate, TPDDL
Ms. Shefali Sobti, TPDDL
Ms. Swapna Sheshadri, Advocate, PPCL
Shri Amal Nair, Advocate, PPCL
Ms. Sugandh Khanna, Advocate, PPCL
Ms. Ritika Khanna, Advocate, PPCL
Shri Surendra Kumar, PPCL
Shri Abhishek Rohilla, PPCL
Shri Pradeep Misra, Advocate, SLDC
Shri Daleep Dhyani, Advocate, SLDC
Shri Suraj Singh, Advocate, SLDC
Shri Ashish Sethi, SLDC
Shri Gaurav Gupta, SLDC
Shri Rahul Kinra, Advocate, BYPL & BRPL
Shri Aditya Ajay, Advocate, BYPL & BRPL
Shri Prashant Garg, NRLDC
Ms. Anisha Chopra, NRLDC
Shri Gajendra Singh, NRLDC
Shri S. K. Sinha, NRLDC

Record of Proceedings

During the hearing, the learned counsel for the Petitioner circulated a note for arguments and made detailed oral submissions in the matter.

2. The learned counsel for the Respondent PPCL submitted that the Petitioner is representing isolated incidents of forced outages which were caused by reasons beyond the control of Respondent and made detailed oral submission referring to the pleadings.



3. The counsel for the Respondent SLDC submitted that information sought by Commission have already been filed. The representative of SLDC answered specific queries of the Commission regarding filter being choked due to fog and smog, testing of the Respondent PPCL generating station and its scheduling unit-wise and station-wise.

4. The learned counsel for the Respondents BRPL and BYPL submitted for adopting the submissions made by the Petitioner and requested for time to file their further written submissions.

5. In response, the learned counsel for Respondent PPCL prayed for time to file its response, on the written submissions of Respondents BRPL and BYPL.

6. The Commission, directed the parties to file following additional/written submissions after serving copy to all other parties:

(a) Respondent BRPL and BYPL to submit their written submissions by **30.12.2022**.

(b) Respondent PPCL to submit following information, on or before **13.1.2023**:

(i) Declared Capacity, Schedule Generation and Actual Generation data for the period during which Respondent PPCL has submitted that its plant generated at full capacity in the month of October 2021 and April 2022.

(ii) Instances wherein the actual generation from its plant reached maximum capacity against the schedule during the period between March, 2017 to March, 2018.

(iii) Complete data of Declared Capacity, Schedule and Actual generation of the plant during period when SLDC tested the real-time capability of the instant generating station.

(b) The Respondent PPCL may file its response, if any, to the written submissions by the Respondent BRPL and BYPL on or before **27.1.2023**.

(c) The Petitioner may file its rejoinder, if any, on or before **10.2.2023**.

7. Subject to above, the order in this matter was reserved by the Commission.

By order of the Commission

Sd/-
(Deepak Pandey)
Assistant Chief (Law)

