

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.282/MP/2021

- Subject : Petition under Section 79(1) (b),79 (1)(f) and 79 (1)(k) of the Electricity Act 2003, read with Articles 11.5.3,11.5.4,12.1, 24.3 and 24.4 of the Pilot Agreement for Procurement of Power (PAPP) dated 26.10.2018 executed between the Petitioner (RKM) and the Respondent (PTC) seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; (iii) additional interest; and for furnishing of Letter of Credit as payment security mechanism.
- Date of Hearing : 15.12.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioners : RKM Powergen Private Limited (RKMPPL)
- Respondents : PTC India Limited (PTC) and 4 Ors.
- Parties Present : Shri Biju Mattam, Advocate, RKMPPL
Shri Harshit Singh, Advocate, RKMPPL
Ms. Lavanya Panwar, Advocate, RKMPPL
Shri Lakshyajit Singh Bagdwal, Advocate, RKMPPL
Ms. Alchi Thapliyal, Advocate, RKMPPL
Shri Ravi Kishore, Advocate, PTC
Shri Keshav Singh, Advocate, PTC
Shri Akshat Shrivastava, Advocate, CSPDCL

Record of Proceedings

At the outset, learned counsel for the Petitioner sought additional time to file rejoinder to the reply filed by the Respondent No.1, PTC.

2. Learned counsel for the Respondent No.5, CSPDCL sought additional time to file reply to the Petition and submitted that as such no prayers have been made against CSPDCL.

3. Learned counsel for the Respondent No.1, PTC submitted that PTC has already released approximately 85% of the outstanding amount to the Petitioner and the balance amount has been kept for adjustment against the third-party sale by the Petitioner. Learned counsel submitted that despite PTC having repeatedly asked for the details relating to the third-party sale, the Petitioner has not provided such details.

4. After hearing the learned counsel for the parties, the Commission once again permitted the Respondents to file their reply, if any, within two weeks after serving copy to the Petitioner, who may file its rejoinder(s) thereon, if any, within two weeks thereafter.



5. The Commission also directed the Petitioner and PTC to reconcile the outstanding amount under the Pilot Agreement for Procurement of Power dated 26.10.2018 forming the subject matter of this Petition and to file the status of such amount including the amount under dispute, if any, on an affidavit within three weeks.

6. The Petition shall be listed for hearing on 14.3.2023.

By order of the Commission

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