

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 164/MP/2023**

Subject : Petition under Regulation-44(6) of CERC (Terms and Conditions of Tariff) Regulations, 2019 for recoument of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during 2021-22 in respect of Chamera-III Power Station.

**Petition No. 166/MP/2023**

Subject : Petition under Regulation-44(6) of CERC (Terms and Conditions of Tariff) Regulations, 2019 for recoument of under-recovered energy charges due to shortfall in energy generation for reasons beyond the control of generating station during 2021-22 in respect of Chamera-II Power Station.

Petitioner : NHPC

Respondent : PSPCL & 6 Ors.

Date of Hearing : **8.12.2023**

Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member

Parties Present : Shri Rajiv Shankar Dwivedi, Advocate, NHPC  
Shri Rishabh Jain, Advocate, NHPC  
Ms. Swapna Seshadri Advocate, PSPCL  
Shri Sachin Dubey, Advocate, BRPL & BYPL  
Shri Mohit Jain, Advocate, BRPL & BYPL  
Shri Aman Mahajan, NHPC  
Shri Bikrant Paswan, NHPC

**Record of proceedings**

At the outset, the learned counsel for the Respondent, PSPCL, submitted that the Respondent may be granted some time to file its reply in the matter. This request was accepted by the Commission.

2. On a specific query by the Commission as to whether the Petitioner had approached the CWC for certification of the latest inflow data (generator wise), the learned counsel for the Petitioner clarified that though the Petitioner had approached the CWC vide letter dated 2.2.2023, for certification of the inflow data of the generating station, there was no response from the CWC. The Commission, however, directed the Petitioner to approach the CWC for certification of the latest inflow data, for the period 2019-24.



3. Accordingly, the Commission, while adjourning the hearing of the matter, directed the Petitioner to submit the following additional information, on or before **10.1.2024**, after serving copies to the Respondents:

- i) Copy of letter addressed to the CWC for certification of the inflow data, in respect of the generating station and the response of the CWC, if any;
- ii) The reasons for claiming higher shortfall in energy of 115.43 MUs under the head 'for reasons due to beyond the control' than the total shortfall in energy generation of 111.94 MU (*in Petition No.166/MP/2023*);

4. The Respondents are permitted to file their replies, on or before **12.1.2024**, after serving copy to the Petitioner, who may, file its rejoinder, if any, by **29.1.2024**. Pleadings shall be completed by the parties within the due dates mentioned and no extension of time shall be granted.

5. The Petitions will be listed for hearing on **7.2.2024**.

**By order of the Commission**

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

