

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
New Delhi**

**Petition No. 195/MP/2022**

<b>Subject</b>	:	Petition under Section 79(1) (c), (d), and (f) read with Section 142 of the Electricity Act, 2003 seeking adjudication of disputes as well as compliance of order dated 14.3.2022 passed by the Commission in Petition No. 145/TT/2018.
<b>Date of Hearing</b>	:	12.1.2023
<b>Coram</b>	:	Shri I. S. Jha, Member Shri Arun Goyal, Member Shri P. K. Singh, Member
<b>Petitioner</b>	:	Essar Power Transmission Co. Ltd.
<b>Respondents</b>	:	Mahan Energen Limited (MEL) formerly known as Essar Power M.P. Limited (EPMPL) & 7 others
<b>Parties present</b>	:	Ms. Swapna Seshadri, Advocate, EPTCL Ms. Superna Shrivastava, Advocate, CTUIL Shri Sreenivasan, CTUIL

**Record of Proceedings**

Learned counsel for the Petitioner/Applicant-EPTCL mentioned that she has filed an Interlocutory Application being Diary No. 11 of 2023 in Petition No. 195/MP/2022 seeking urgent listing of the matter since the tariff petition filed by EPTCL being Petition No. 92/MP/2021 was also listed on 12.1.2023. Learned counsel for the Applicant, submitted that while hearing Petition No. 195/MP/2022 on 20.12.2022, the Commission directed as under:

*“2. In response to a query of the Commission, the learned counsel for the CTUIL submitted that approximately ₹296.29 crore is to be recovered from the Petitioner in terms of the Commission’s order dated 14.3.2022 in Petition No.145/TT/2018, CTUIL has already recovered ₹190 crore and approximately ₹105 crore is yet to be recovered from the Petitioner.*

*3. Taking into consideration the difficulties faced by the Petitioner in meeting the O&M Expenses of the transmission assets, the Commission directed CTUIL to recover the remaining balance amount due from the Petitioner, in terms of its order dated 14.3.2022 in Petition No. 145/TT/2018, in five equated installments.”*

2. Learned counsel submitted that in the said IA filed for directions of the Commission, Applicant-EPTCL has requested to increase the number of installments from 5 to 20 due to acute financial crisis being faced by it.



3. On a specific query of the Commission, the representative for the CTUIL informed that Stage-II average tariff of EPTCL works out to Rs. 22 crore per month. He further informed that 2/3rd of the amount from PoC pool is adjusted and only 1/3rd amount remains to be paid if adjustment is made in five instalments, the monthly deductions would be approximately Rs. 21 crore and EPTCL is left with Rs. 1 crore.

4. After hearing, the Commission directed to register Diary No. 11 of 2023 after approval. The Commission further directed CTUIL that the balance excess payment recoverable from the Applicant-EPTCL may be recovered in 10 equated monthly instalments in terms of Commission's order dated 14.3.2022 in Petition No. 145/TT/2018. Accordingly, the Commission modified its order vide RoP dated 20.12.2022 in Petition No. 195/MP/2022, whereby it had directed CTUIL to recover the remaining balance amount due from the Applicant, in terms of its order dated 14.3.2022 in Petition No. 145/TT/2018, in five equated instalments. Accordingly, the said IA stands disposed of.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Joint Chief (Law)

