

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION  
BHOPAL**

**Sub: Petition under Section 86(1)(f) of the Electricity Act, 2003 to resolve the dispute between M.P. Power Management Company Ltd. (MPPMCL) and M.P. Power Transmission Company Ltd. (MPPTCL) in the matter of Internalization of STU and SLDC with M.P. Power Management Company Ltd.**

**Petition No. 56 of 2015**

**ORDER**

**(Date of Motion Hearing: 24<sup>th</sup> November, 2015)**

**(Date of Order: 24<sup>th</sup> November, 2015)**

**M.P. Power Management Company Ltd., Jabalpur - Petitioner**

V/s

1. **M.P. Power Transmission Company Ltd., Jabalpur** }  
2. **M.P. State Load Despatch Centre, Jabalpur** } - **Respondents**

Shri Manoj Dubey, Advisor (Law) appeared on behalf of the petitioner.

M.P. Power Management Co. Ltd., Jabalpur (MPPMCL) has filed the subject petition under Section 86(1)(f) of the Electricity Act, 2003 to resolve the dispute between M.P. Power Management Company Ltd. (MPPMCL) and M.P. Power Transmission Company Ltd. (MPPTCL) in the matter of Internalization of STU and SLDC with M.P. Power Management Company Ltd.

2. Vide Commission's daily order dated 31<sup>st</sup> October' 2015, the following observations on the subject petition were communicated to the petitioner

- (i) Section 86(1)(f) of the Electricity Act 2003 is applicable for adjudication upon the disputes between the licensee and the generating company only whereas, the dispute mentioned in the instant petition is between MPPMCL and MPPTCL(STU)/SLDC.
- (ii) No dispute is observed between STU/SLDC and MPPMCL in terms of the minutes of meeting filed with the petition.
- (iii) The subject petition is filed for adjudication under Section 86(1)(f) of the Electricity Act 2003 whereas, the petitioner has sought approval of the Commission for "Internalization

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of MPPMCL with STU and SLDC” for all Short Term Open Access transactions “bilateral as well as collective”, which shall exempt MPPMCL from payment of SLDC operating charges and transmission charges of STU in line with CERC Open Access Regulations.

- (iv) The CERC’s order filed by Counsel of the petitioner was based on certain Regulations notified by CERC on short term open-access transactions for inter-state transmission of electricity. However, there is no provision for approval of any internalization mechanism (as sought by the petitioner) in any Regulation/ Code notified by MPERC.
- (v) The State Load Despatch Centre, Jabalpur has been constituted and established under Section 31 of the Electricity Act’ 2003 by the State Government on 17<sup>th</sup> May 2004 and SLDC, Jabalpur is the apex body to ensure integrated operation of the power system in the state.

3. During the course of hearing held on 30<sup>th</sup> October’ 2015, Counsel appeared on behalf of the petitioner had sought some time to respond on the above issues. Adequate time was allowed to the petitioner to file its response on all above-mentioned issues.

4. During the course of hearing held today i.e. on 24<sup>th</sup> November’ 2015, the Commission has observed with deep concern that the petitioner has not responded on the above observations till date and it is again seeking time without any genuine reason to file its reply to the basic issues in its own application under the subject petition. Therefore, the approach of the petition is not conceded and the subject petition is not found maintainable being devoid of merits on the issues mentioned in Para 2.0 of the order.

With the above observations, the subject petition is disposed of.

**(Alok Gupta)**  
Member

**(A.B.Bajpai)**  
Member

**(Dr. Dev Raj Birdi)**  
Chairman