

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL**

**Sub: In the matter of approval of short term power procurement through power exchange.**

**ORDER**

**(Date of hearing – 16.06.2010)**

**Date of order 22.06.2010**

M.P. Power Trading Co. Ltd., Jabalpur	Petitioner
MPPKVCo. Ltd., Jabalpur	Respondent No.1
MPPKVCo. Ltd., Indore	Respondent No.2
MPMKVCo. Ltd., Bhopal	Respondent No.3
MP Power Generating Co. Ltd., Jabalpur	Respondent No.4

Shri A.B. Bajpai, Chief General Manager (Comml.) and Shri D.K. Ojha, Associate Consultant, M.P. Power Trading Co. Ltd. appeared on behalf of the petitioner.

2. The Petitioner, M.P. Power Trading Co. Ltd., Jabalpur through its authorized representative has filed the petition before the Commission in the matter of approval of short term power procurement through power exchange. It is indicated in the petition that this petition has been filed under the provisions of the section 86 (i)(b) of the Electricity Act, 2003 which is reproduced as below:-

*“86(i) (b) Regulate electricity purchase and procurement process of Distribution Licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreement for purchase of power for distribution and supply within the State.”*

3. The Commission directed to hold the motion hearing on 16.06.2010 so as to establish the maintainability of the petition under the provisions of Electricity Act, 2003 referred to by the petitioner.

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4. The motion hearing was held on 16<sup>th</sup> June, 2010. During the course of hearing, the representatives of M.P. Power Trading Co. Ltd. pleaded before the Commission for consideration of their request for approval of short term power procurement through power exchange.

5. The Commission observed that it had recently issued retail supply tariff order for FY 2010-11 wherein the availability of power from various long term sources vis-à-vis power supply did not indicate any such gap as has been made out by the petitioner. The Commission was of the view that it was the responsibility of the distribution licensees to first establish the need for resorting to short term power purchase. The Commission has issued a regulation titled “Madhya Pradesh Electricity Regulatory Commission (Power Purchase and Procurement Process) Regulations, 2004, Revision 1, 2006 (RG-19(I) of 2006) in this regard which also needs to be complied with.

6. The Commission has observed that the M.P. Power Trading Co. Ltd. cannot be a petitioner in this case. The petition, therefore, is not maintainable.

The petition being not maintainable stands disposed off.

**(C.S. Sharma)**  
**Member (Economics)**

**(K.K. Garg)**  
**Member (Engg.)**