



# Madhya Pradesh Electricity Regulatory Commission

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## Madhya Pradesh Electricity Regulatory Commission : Bhopal

### Petition No. 149 of 200

SUB: IN THE MATTER OF AMENDMENT OF ORDER NO. MPERC/P-137 OF 04/3343 DATED 20.12.2004 ALLOWING REDUCTION IN CONTRACT DEMAND.

JAY PEE BELA PLANT (Unit of Jaiprakash Associates Ltd.) Rewa ( MP) V/s	-	Petitioner
M.P. State Electricity Board	-	Respondent

### ORDER

#### **(Passed on this day 19<sup>th</sup> January, 2005**

Shri P. L. Nene, Consultant appears on behalf of the Petitioner.

Shri P.V. Sathe, Addl. S.E., EZ, Jabalpur appears on behalf of the Board.

The petition in the matter of amendment of Order dated 20.12.2004 in Petition No. 137/04 allowing reduction in Contract Demand.

It is stated in the petition that on 14<sup>th</sup> December 2004 a provisional order was passed by the Commission allowing the petitioner to reduce the contract demand from 20 MVA to 10 MVA for a period of 6 months w.e.f 1<sup>st</sup> January 2005, after which a review of the consumption pattern was ordered.

The petitioner submits to amend its earlier order to allow only reduction of 5 MVA instead of 10 MVA in view of the Commission's Tariff Order passed on 10.12.2004, as the new Tariff order provides for a progressive reduction in the rate per KW with every increase in consumption and the cost of MPSEB power to be lower than that of the petitioner's DG sets. Therefore, the petitioner had requested the Commission to amend its earlier Order and allow reduction of 5 MVA i.e. to allow a contract demand 15 MVA with the Board, instead of 10 MVA w.e.f 1<sup>st</sup> January 2005.

During the course of hearing today the Respondent Board submits that the Board had opposed the reduction of contract demand from 20 MVA to 10 MVA, as the petitioner had not produced any evidence that their demand has reduced to 10 MVA. Moreover Board has filed an appeal before the Hon'ble High Court, the order for which is still pending. It is submitted by the Board that none of the grounds, necessary for giving relief of the order, is present in the case and that it should be dismissed.

Commission heard both Petitioner and the Board. On being asked, the representative of the Board confirmed that no stay has been granted by the Hon'ble High Court in the appeal filed by the Board. Therefore reviewing its order dated 14<sup>th</sup> December 2004, Commission directs Respondent Board to allow petitioner to reduce its contract demand from 20 MVA to 15 MVA instead of 10 MVA from 01/01/2005.

Ordered accordingly.

**(D.Roybardhan)**  
**Member (Engg.)**

**(P.K.Mehrotra)**  
**Chairman**