

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub :- In the matter MPERC (Power Purchase and other matters with respect to conventional fuel based Captive Power Plants) (Revision – I) Regulations 2009 Review thereof.

ORDER

(Date of hearing 11th August, 2009)

(Date of Order 24th August, 2009)

M/s Vardhman Yarns,
Satlapur, Mandideep,
Dist. Raisen (M.P.)
V/s - Petitioner

M.P.Madhya Kshetra Vidyut Vitaran Co. Ltd.,
Bhopal. - Respondent

Shri D.K.Mittal appeared on behalf of the Petitioner.

Shri A.R.Verma, Addl. SE appeared on behalf of the Respondent.

2. The Petitioner has filed this petition in the matter of review of MPERC (Power Purchase and other matters with respect to conventional fuel based Captive Power Plants) (Revision – I) Regulations 2009.

3. During the hearing the representative of the Petitioner made the following submissions :

- (i) The Regulation 3.2 is contrary to Clause 6.3 of the Tariff Policy and this may be construed as an act of omission.
- (ii) The regulation does not comply with the provisions of Tariff Policy and hence an apparent error has occurred.
- (iii) There is no co-relation between open access consumer and CPP and therefore, regulations may be amended.

4. On hearing the Petitioner, the Commission is of the view that Regulations are issued exercising legislative functions of the Commission given to it under the Act. The Regulations have

the force of subordinate legislation. As such the review of Regulations is not maintainable in terms of Section 94(1)(f) of the Act.

8. With the above directions, the Petition No. 29/2009 stands disposed off.

Ordered accordingly,

(C.S.Sharma)
Member (Eco.)

(Dr. J.L. Bose)
Chairman