

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION  
BHOPAL**

Dated: 3<sup>rd</sup> September, 2012

**Subject: In the matter of review of Final Generation Tariff Order passed by the Commission on 1<sup>st</sup> May, 2012 for 210 MW ATPS, Extn. Unit-5, Chachai for the period 10<sup>th</sup> September, 2009 to 31<sup>st</sup> March, 2012.**

**Petition No.52/2012**

**ORDER**

(Date of Hearing: 1<sup>st</sup> September, 2012)

**M.P. Power Generating Company Ltd., Jabalpur**

**Petitioner**

V/s

1. M. P. Power Management Co. Ltd., Jabalpur
2. M. P. Poorv Kshetra Vidyut Vitaran Co. Ltd., Jabalpur
3. M. P. Madhya Kshetra Vidyut Vitaran Co. Ltd., Bhopal
4. M. P. Paschim Kshetra Vidyut Vitaran Co. Ltd., Indore
5. M.P. Power Transmission Co. Ltd., Jabalpur

**Respondents**

Shri S.K. Khiani, Addl. CE (CS) and Shri A. P. Shroti, Advocate appeared on behalf of the petitioner.

Shri Anant Chaure, Law Officer appeared on behalf of Respondent No.4 – MP Paschim Kshetra Vidyut Vitaran Co. Ltd., Indore

M.P. Power Generating Company Ltd. (MPPGCL) has filed the subject petition for review of Final Generation Tariff Order passed by the Commission on 1<sup>st</sup> May, 2012 for 210 MW ATPS, Extn. Unit-5, Chachai for the period 10<sup>th</sup> September, 2009 to 31<sup>st</sup> March, 2012.

2 The case was listed for motion hearing today i.e. 1<sup>st</sup> September, 2012. Having heard the petitioner, the Commission has observed that the grounds on which review of the Commission's final generation tariff order for 210 MW, ATPS, Extn. Unit-5, Chachai has been sought by the petitioner are not tenable since these are not based on any of the following statutory provisions:

- (i) Discovery of new or important matter of evidence, which after exercise of due diligence was not within the knowledge of the petitioner or could not be produced by him, at the time when the order was made, or
- (ii) Mistake or error apparent on the face of record, or
- (iii) Any other sufficient reason

3 In view of the above, the subject review petition is not maintainable and is therefore, rejected.

Ordered accordingly.

sd/-  
**(C. S. Sharma)**  
**Member**

sd/-  
**(Rakesh Sahni)**  
**Chairman**