

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Subject: In the matter of determination of tariff for the period prior to 31st March 2010 for MP Audyogik Kendra Vikas Nigam Ltd. Licensee for SEZ Pithampur Area.

(P. No. 43/2016)

ORDER

Date of Hearing: 24/01/2017

Date of Order : 27/01/2017

**M/s Pithampur Audyogik Sangathan ,
231, Saket Nagar
Indore -452018 MP**

:

Petitioner

V/s

**M.P.A.K.V.N (Indore) Ltd.
3/54, Press Complex, Free Press House :
A.B. Road, Indore**

Respondent

Dr. Gautam Kothari appeared on behalf of the Petitioner. Shri S. K. Pal, EE, MPAKVN(I)L, Indore and Ms. Bhakti Vyas, Advocate appeared on behalf of the Respondent.

2. The petitioner in instant petition has requested the Commission to direct the respondent for compliance of the provisions under Section 61 of the Electricity Act 2003 in determining tariff from the date of commencement of SEZ, Pithampur till FY 2009-10 as the same is remained undetermined.

3. During the last hearing held on 22/11/2016, the respondent submitted the written submission and stated that the present petition is not maintainable as the issues raised in the present petition have already been settled by the Commission vide order dated 08.05.2015 in Petition No. 32/2014 and vide order dated 22.04.2016 in Review Petition No. 44/2015. The petitioner had requested the Commission for time extension to respond on the respondent's submission which was accepted by the Commission.

4. During the hearing held on 24/01/2017, the petitioner submitted the written submission and reiterated the reasons for insisting of the determination of retail supply tariff for SEZ area up to FY 2009-10. In response, the respondent submitted that the Commission had already decided over the issue in the matter of petition nos. 32/2014 and 44/2015 respectively and therefore, the petitioner by filing this petition is again revisiting the issues which are already settled.

5. The Commission having perused the submission and subsequent arguments made by the petitioner and respondent in the matter, concluded that the issue raised by the petitioner lacks merit for further consideration in light of the Commission's earlier orders in the matter of petition Nos. 32/2014 and 44/2015 respectively. The petition is therefore dismissed.

**(Alok Gupta)
Member**

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

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