

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL**

**Sub : In the matter of revision of contract demand from 4 MVA to 10 MVA – payment of Supply Affording Charges.**

**Petition No. 27 of 2010**

**ORDER**

**(Date of Order : 27<sup>th</sup> August, 2010)**

M/s Bhilai Jaypee Cement Ltd.,  
Village, Birhaulti,  
Teh : Raghuraj Nagar, Dist. Satna - Petitioner

M.P.Poorv Kshetra Vidyut Vitaran Co. Ltd.,  
Jabalpur. - Respondent

The petition is in the matter of revision of contract demand from 4 MVA to 10 MVA – payment of Supply Affording Charges. The case was listed for motion hearing on 22.06.2010.

2. During the motion hearing on 22.06.2010, the representative of the Petitioner submitted that an agreement was executed between the Petitioner and East Discom on 20.02.2008 for load of 4000 KVA (4 MVA) at 33 KV which was subsequently revised to 10000 KVA (10 MVA) through a supplementary agreement. The contract for supply of 4000 KVA remained a concluded contract and was not cancelled. The Petitioner submitted that the East Discom vide letter dated 30.09.2009 desired that the supplementary agreement can be finalized only after the Petitioner pay Rs. 75 lakhs towards line affording charges @ Rs. 750 per KVA for 10000 KVA. The Petitioner made the payment of charges under protest as the supply was required urgently. The Petitioner further submitted that the charges ought to have been levied on 6000 KVA the additional load, instead of 10000 KVA. The Petitioner has also prayed to the Commission to order refund of Supply Affording Charges for 4000 KVA.

3. During this hearing, the Commission enquired from the Petitioner under which provision of the Electricity Act, 2003 or the Regulations framed under the Act, the Petitioner has submitted the petition and whether the Commission has jurisdiction to entertain this petition. The representative of the Petitioner could not reply satisfactorily. The Commission had directed that this petition, in the form as submitted, cannot be accepted as the petition relates to a dispute between the consumer and the Licensee and therefore, the matter should have been referred to the

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Electricity Consumer Grievance Redressal Forum. The Petitioner has then requested to allow him to submit modified petition with specific prayer. The Commission has allowed the Petitioner to submit modified petition. The Petitioner has filed the modified petition on 13.07.2010, which is being dealt separately.

4. In view of this, the Petition No. 27 of 2010 stands disposed off.

Ordered accordingly,

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

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