

Sub: In the matter of petition under Section 61,62 and 86 of the Electricity Act, 2003 read with provisions of MPERC (Cogeneration and generation of electricity from renewable sources of energy) (Revision-I) Regulations, 2010 and the tariff orders dated 7.8.2007, 3.5.2013, 13.8.2015, Order dated 20.11.2013 in Petition No. 49/2013 and Order dated 8.2.2016 in Petition No. 58/2015 passed by the Commission

ORDER

(Date of hearing: 25th July,2017)

(Date of order: 4th August,2017)

M.P. Power Management Co. Ltd.,
Shakti Bhawan, Vidyut Nagar, Jabalpur- 482 008

- Petitioner

M/s ASN Industries Pvt. Ltd.,
313, HMT Hills, Opposite JNTU,
Kukatpally, Hyderabad- 500 085

- Respondent

Shri Manoj Dubey, Advocate appeared on behalf of the petitioner.

Shri Ashish Bernard, Advocate appeared on behalf of the respondent.

2. The petitioner, M.P. Power Management Co. Ltd. has filed this petition under Section 61,62 and 86 of the Electricity Act, 2003 read with provisions of MPERC (Cogeneration and generation of electricity from renewable sources of energy) (Revision-I) Regulations, 2010 and the tariff orders dated 7.8.2007, 3.5.2013, 13.8.2015, Order dated 20.11.2013 in Petition No. 49/2013 and Order dated 8.2.2016 in Petition No. 58/2015 passed by the Commission. In its petition, the petitioner mainly prayed to the Commission to re-determine the tariff applicable to M/s ASN Industries.

3. The case was listed for motion hearing on 24.01.2017. During the motion hearing, the Commission observed that the application for condonation of delay of about 38 months was not filed along with the petition. The next date of motion hearing was fixed for 21.02.2017. The petitioner has filed an application for condonation of delay on 16.02.2017.

4. During the motion hearing on 21.02.2017, the Commission observed that M/s ASN Industries Pvt. Ltd. has supplied the power at the determined tariff from 12.06.2016 onwards. The next date of hearing was fixed for 21.03.2017 with the directions to issue notice to M/s ASN Industries Pvt. Limited. The motion hearing was adjourned from time to time on the request of the respondent/petitioner and the next date of hearing was fixed for 25.07.2017.

5. During the hearing on 25.07.2017, the Commission enquired about the reasons as to why the Letter of Intent was issued from time to time to M/s ASN Industries Pvt. Ltd. and extended till 31.12.2016 based on the tariff determined by the Commission vide order dated

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20.11.2013. The representative of the petitioner could not reply adequately. Also, the petitioner could not justify the reasons for filing the petition for reducing the tariff despite issue of aforesaid Letter of Intent several times.

6. Having heard the petitioner and the respondent and on considering their written submissions, the Commission is of the view that there is no sufficient ground for re-determination of tariff applicable to M/s ASN Industries Pvt. Ltd. as per the order dated 20.11.2013 passed by the Commission.

7. In view of the above, the petition no. 64 of 2016 stands disposed of.

Ordered accordingly.

(Alok Gupta)
Member

(A.B.Bajpai)
Member

(Dr. Dev Raj Birdi)
Chairman