

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION
BHOPAL**

**Subject: In the matter of petition filed by M/s BLA Power Pvt. Ltd. for determination of Multi-year
Tariff for FY 2016-17 to FY 2018-19 of Unit No. 2 (45 MW) of petitioner's Generating
Station for sale of contracted capacity to M. P. Power Management Company Limited.**

Petition No. 04/2018 & IA No. 01 of 2018

ORDER

(Date of Motion Hearing: 13th March' 2018)

(Date of Order: 13th March' 2018)

M/s. BLA Power Pvt. Ltd.

84, Marker Chambers

Nariman Point, Mumbai-400 021

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Petitioner

V/s

1. M.P. Power Management Company Ltd., Jabalpur
Block No. 2, Shakti Bhawan, Rampur, Jabalpur – 482008

2. M. P. Poorv Kshetra Vidyut Vitaran Co. Ltd.
Shakti Bhawan, Rampur, Jabalpur – 482008.

3. M. P. Madhya Kshetra Vidyut Vitaran Co. Ltd.
Nishtha Parisar, Govindpura, Bhopal – 462023

4. M. P. Paschim Kshetra Vidyut Vitaran Co. Ltd.
GPH Compound, Pologround, Indore.

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Respondents

Ms. Titash Sen appeared on behalf of M/s. BLA Power Pvt. Ltd.

M/s BLA Power Pvt. Ltd. has filed the subject petition for determination of Multi-year Tariff for FY 2016-17 to FY 2018-19 of Unit No. 2 (45 MW) of petitioner's Generating Station for sale of contracted capacity to M. P. Power Management Company Limited. The subject petition is filed under Section 62 and 86 of Electricity Act, 2003 and based on the MPERC (Terms and Conditions for determination of Generation Tariff) Regulations, 2015.

2. During the course of motion hearing, the representative of the petitioner has submitted the following:

“(i) *The Petitioner has filed an appeal, being Appeal No. 201/2017, before the Hon'ble Appellate Tribunal for Electricity against the aforesaid order dated 02.06.2017. The Hon'ble Tribunal has now posted the said appeal for further hearing on 12.03.2018 and 14.03.2018.*

(ii) *Certain issues (such as fuel) which are pending adjudication before the Hon'ble Tribunal in Appeal No. 201/2017 may have some bearing on the issues raised in the present Petition No. 4 of 2018, for Unit-II, pending before the Commission.*

Petition No. 04 of 2018 & IA No. 01 of 2018

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(iii) Further, since the appeals before the APTEL are to be heard on 12th and 14th March, the technical and management team of the Petitioner as also the counsel would have to be in Delhi on the 13th as well. Accordingly, we humbly request this Hon'ble Commission to adjourn the present tariff Petition No. 4 of 2018, presently listed on 13.03.2018, till the disposal of Appeal No. 201/2017 by the Hon'ble Tribunal."

3. In line with the above request of the petitioner, the Commission has also noted that most of the issues raised by the petitioner in Appeal No. 201/2017 are equally applicable to Unit No. 2 of the petitioner's power plant.

4. In view of the above, it is not appropriate to keep pending this petition indefinitely as sought by the petitioner. Therefore, the subject petition is not admitted and disposed of. The petitioner is at liberty to file a fresh petition. The fee deposited with the subject petition shall be adjusted accordingly.

(Anil Kumar Jha)
Member

(Mukul Dhariwal)
Member

(Dr Dev Raj Birdi)
Chairman