

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SCO NO. 220-221, SECTOR 34-A, CHANDIGARH**

**Petition No.38 of 2016
Date of hearing: 09.05.2017**

Present: Shri D.S. Bains, Chairman
Shri S.S. Sarna, Member

In the matter of: Petition under Section 45 and Section 46 of Punjab State Electricity Regulatory Commission (Terms and Conditions for Intra-State Open Access) Regulations, 2011 for directing the transmission licensee to exempt penalty on the power drawn above the admissible drawal and up to contract demand under Force Majeure condition and removal of other difficulties in open access and petition under Section 142 of Electricity Act, 2003 for taking necessary action against the respondent and its officials for issuing commercial circular No.29/2015 followed by commercial circular No.8/2015 dated 02.03.2015 contrary to the amendment dated 01.06.2015 carried out by this Commission in Punjab State Electricity Regulatory Commission (Terms and Conditions for intra-State Open Access) (5th Amendment) Regulations, 2015 and in violation of the provisions of Electricity Act, 2003, provisions of Punjab State Electricity Regulatory Commission (Terms and Conditions for intrastate Open Access) Regulations, 2011 and General Conditions of Tariff and Schedule of Tariff

AND

In the matter of: Open Access Users Association, having its office at D-21, Corporate Park, 2nd Floor, Dwarka, Sector-21, New Delhi, through its Legal Officer, Shri Abhinandan Das..
...Petitioner

Versus

1. Punjab State Power Corporation Limited (PSPCL), through its Chairman-cum-Managing Director, having office at the Mall, Patiala-147001.
2. Punjab State Transmission Corporation Limited (State Load Dispatch Centre) through its Chairman-cum-Managing Director, having Registered Office at PSEB Head Office, the Mall, Patiala-147001
...Respondents

For petitioner: Shri Aditya Grover, Advocate
Shri Sandeep Thakur, Coordinator

For PSPCL: Shri Vishal Chaudhri, Advocate
Er. Ashok Kumar Goyal, ASE/TR-5
Er.A.K.Sharma, SE/TR-2
Er.Hardidar, ASE/S-3

For PSTCL: Er. Ashok Kumar Yadav AEE/Open Access, SLDC,
PSTCL, Patiala.
Shri Paramjit Kumar, AE

ORDER

The matter was taken up for hearing. The Learned Counsel for the petitioner has contended that the order passed by the Hon'ble Commission in Petition No.47 of 2015, order dated 18.05.2016 disposing of I.A. No.25 of 2016 in the present petition & the letter issued to the Chief Engineer/SLDC, PSTCL / Tariff / P-47-2015/818 dated 22.04.2016 covers collective as well as bilateral transactions. However, the Learned Counsel for the Respondent No.1 i.e. PSPCL has contended that the orders in Petition No.47 of 2015 cover only bilateral transactions and therefore, the letter issued by the Commission to the Chief Engineer/SLDC, PSTCL / Tariff / P-47-2015/818 dated 22.04.2016 should also cover only bilateral transactions & not the collective transactions.

After hearing the parties, the order on the aforesaid issue is reserved and the petition is fixed for further hearing on 13.07.2017 at 11.30 A.M.

Sd/-

(S.S. Sarna)
Member

Sd/-

(D.S. Bains)
Chairman

Chandigarh
Dated: 11.05.2017