

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

**Petition No. 61 of 2017
Date of hearing: 13.12.2017
Date of Order: 01.01.2018**

In the matter of: Petition under Section 86(1)(f) of the Electricity Act, 2003 read with Regulation 1.10.2 of the Punjab State Electricity Regulatory Commission (Punjab State Grid Code) Regulations, 2013, and pursuant to the Hon'ble Punjab and Haryana High Court's Order dated 28.09.2017 in CWP No.10553 of 2017 concerning disputes between Talwandi Sabo Power Limited on the one hand and Punjab State Load Despatch Centre and Punjab State Power Corporation Limited on the other in respect of alleged mis-declaration of Declared Capability and levy of penalty.

AND

In the matter of: Talwandi Sabo Power Limited, Village Banawala, Mansa-Talwandi Sabo Road, District Mansa, Punjab – 151302.
...Petitioner

Versus

1. Punjab State Load Despatch Centre through Chief Engineer, SLDC Building, near 220 KV Grid Substation, PSTCL, Ablowal, Patiala-147001.
2. Punjab State Power Corporation Limited, through Chief Engineer (PP&R), Shakti Vihar, Shed No.T1, Patiala-147001.
3. State Grid Code Review Committee, SLDC Building, near 220 KV Grid Substation, Punjab State Transmission Corporation Ltd., Ablowal, Patiala-147001.

...Respondents

Present: Ms. Kusumjit Sidhu, Chairperson
Sh. S.S. Sarna, Member
Ms. Anjuli Chandra, Member

For TSPL: Sh. Sitesh Mukherjee, Advocate
Sh. Deep Rao, Advocate
Sh. Jasmeet Wadehra, Head-Legal, Power, Vedanta Group
Sh. Amit Mittal, GM

For PSTCL: Ms. Ranjitha Ramachandran, Advocate
Sh. Akshay Kumar Garg, Addl.SE/SLDC
Sh. Nitish Bansal, AEE/SLDC

For PSPCL: Sh. Tajender Joshi, Advocate
Sh. S.K. Sarwal, ASE/PR
Sh. Vinit Verma, AEE/PR

ORDER

The petition was fixed for hearing on 29.11.2017, which was postponed on the request of PSPCL to 13.12.2017 with the directions to the respondents to file reply to the petition by 08.12.2017.

During hearing, the learned counsel for the petitioner argued the case at length and also filed an Order of the Hon'ble Supreme Court dated 04.08.1969 in Civil Appeal No.883-892 of 1966, which was taken on record. The counsel for the petitioner requested for grant of 15 days to file rejoinders to the replies of the respondents. The counsel for SLDC made her submissions and brought out that during the months of December, 2016 & January, 2017, the petitioner was warned on various occasions and advised to adhere to the Schedule. It was only due to persistent defaults by the petitioner that demonstration notices were issued as per State Grid Code.

The Commission directed SLDC to file 15 minute time block-wise detail of Declared Capability (DC), Schedule Generation, under/over injection along with detail of the events relevant to the dispute during 09.12.2016, 16.12.2016, 20.12.2016, 30.12.2016, 05.01.2017, 06.01.2017, 10.01.2017, 15.01.2017, 17.01.2017, 24.01.2017, 30.01.2017 and 31.01.2017.

The Commission directed PSPCL to file an affidavit giving reasons for not recovering the penalty on account of mis-declaration of August, 2015 for almost two years and also explain the methodology used to calculate the penalty for mis-declaration for the month of January, 2017. PSPCL shall explain what would have been the Fixed Charges payable to the petitioner for the month of January, 2017 had there been no mis-declaration during the month.

The Commission directed the petitioner to file rejoinder to the replies of the respondents, with copy (hard copy & email) to the respondents by 27.12.2017 and the respondents shall file sur-rejoinder, if any, by 04.01.2018, with copy to the petitioner (hard copy & email). PSPCL and SLDC shall file their respective affidavit and the information/data as stated above, by 27.12.2017 with copy to the other parties (hard copy & email). The petitioner may file its response to the same, if any, by 04.01.2018 (hard copy & email).

The petition shall be taken up for arguments on 12.01.2018 at 11.30 AM.

Sd/-
(Anjuli Chandra)
Member

Sd/-
(S.S. Sarna)
Member

Sd/-
(Kusumjit Sidhu)
Chairperson

Chandigarh
Dated: 01.01.2018