



ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 395/2012

Petition No.: 13/2015

ORDER SHEET

24.10.2016

Before the Assam Electricity Regulatory Commission
ASEB Campus, Dwarandhar,
G. S. Road, Sixth Mile, Guwahati – 781 022

M/s Eastern India Powertech Limited (EIPL) ----- Petitioner
Government of Assam represented by Chief Secretary -----Respondent-1
Assam Power Distribution Company Ltd. (APDCL) -----Respondent-2
Assam Gas Company Ltd. (AGCL) -----Pro Forma Respondent-3

Date of Hearing: 24.10.2016
Counsel for Petitioner:

Mr. G. Sivasankaran, EIPL
Mr. Ram Kumar, EIPL
Mr. G.N.Sahewalla, Sr. Advocate, EIPL
Mr. D. Senapati, Advocate, EIPL
Ms. Ankita Agarwal, Advocate, EIPL

Counsel for Respondent-1:

Mr. M. Barua, Jt. Secretary, Dept. of Power

Counsel for Respondent-2:

Mr. K Talukdar, GM (TRC), APDCL
Mr. HM Sharma, GM, APDCL
Mr. M Bhattacharyya, APDCL
Mr. Avijit Roy, Advocate, APDCL

Counsel for Pro Forma Respondent-3:

Mr. S. Choudhury, Advocate, AGCL

In the matter of

Petition No. 13 of 2015 filed by M/s Eastern India Powertech Limited requesting for invocation of Section 11(2) of the Electricity Act'2003 in view of imposition of Section 11 of the Electricity Act'2003 by the Govt. of Assam for running of EIPL plants

CORAM

Shri Naba Kr. Das Chairperson
Shri Dipak Chakravarty, Member
Shri Subhash Ch. Das, Member

ORDER

1. A Hearing was held on 06.08.2016, on the Petition No. 13 of 2015 filed by M/s Eastern India Powertech Limited requesting for invocation of Section 11(2) of the Electricity Act'2003 in view of imposition of Section 11 of the Electricity Act'2003 by the Govt. of Assam for running of EIPL plants. After hearing the parties the Commission directed the Petitioner to submit year wise Tariff Petitions for the plants of EIPL from FY 2009-10 till closure of the plants on or before 24th August, 2016 along with Audited Statement of Accounts for the respective years. Also, the Respondent-1 was directed to submit their views and comments on or before 24.8.2016.
2. Thereafter, EIPL filed separate plant wise Petitions for each year from FY 2009-

10 to FY 2014-15 on 24.8.2016 and the matter is being taken up under separate proceedings under Petition Nos. 20 to 31 of 2016. The Commission stated that the Petitioner will have to pay the required fee for processing of Tariff Petition Nos. 20 to 31 of 2016 on or before 15.11.2016 as per AERC Regulations.

3. During the Hearing, the Commission enquired whether Petitioner and Respondent 2 & 3 have submitted their reply to the submissions made by the Respondent-1, to which the parties replied that that they have not received any copy from the Respondent-1.
4. The Commission after hearing the parties has ordered the following:
 - 4.1. The Commission directed the parties to submit their comments on the submission made by Respondent-1.
 - 4.2. The Commission directed the Petitioner to submit requisite fees towards processing of the Tariff Petitions as per the applicable AERC Regulations.
 - 4.3. The Petitioner and Respondents will make submissions in the Format prescribed vide Regulations of the Commission and will provide copies of their submissions to the opposite party.

The matter is posted for further Hearing on 18.11.2016 at 11:00 A.M.

Sd/-
(Subhash Ch.Das)
Member
AERC

Sd/-
(Dipak Chakravarty)
Member
AERC

Sd/-
(Naba Kumar Das)
Chairperson
AERC