



ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 342/2010/Pt-I

Petition No.: 04/2010

ORDER SHEET

20.12.2017

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

CORAM

Shri Subhash Chandra Das, Member
Shri Dipak Chakravarty, Member

M/s Eastern India Powertech Limited(EIPL)----- Petitioner
Assam Power Distribution Company Ltd. (APDCL)-----Respondent-1
Govt. of Assam represented by the Secretary, Dept of Power-----Respondent-2

Date of Hearing: 20.12.2017

Counsel for Petitioner:

Ms. Sravana Katakey, Advocate, EIPL

Representative for Respondent-1:

Mr. Ramen Choudhury, AGM (TRC)
Mr. Nilmadhab Deb, Asst. Manager (F&A)
Mr. Pradeep K Baishya, DM (APDCL)
Mr. Avijit Roy, Advocate, APDCL

Representative for Respondent-2:

Absent

In the matter of

Petition No. 4 of 2010 filed by M/s Eastern India Powertech Limited in the matter of commercial disputes and Non Payment of contractually due payments by ASEB/APDCL to EIPL

ORDER

1. At the start of the Hearing, the Counsel of the Petitioner submitted that, technical team of EIPL and counsels dealing with the said matter was not able to attend in the Technical Validation Session (TVS) scheduled on 19.12.2017 and referred to the Petition submitted on 16th December, 2017 in which rescheduling of TVS to either 24/1/2018 or 25/1/2018 was requested by EIPL.
2. The Commission clarified that purpose of TVS was to explain the data gaps on the submissions made by EIPL & APDCL in response to AERC Letter dated 30.11.2016.
3. The Commission directed the Petitioner and Respondent-1 to submit reply to the data gaps raised vide Letters dated 20/12/2017.
4. APDCL submitted that, the data pertains to a very long past periods. During the upcoming months, the core team of APDCL will be engaged in dealing with proceedings related to Retail Tariff Petition. In view of the above, APDCL

will be able to prepare the replies to data gaps only by the end of March, 2018.

5. APDCL also requested the Commission to provide sufficient time to file counter reply to the submissions of EIPL regarding said data-gaps.
6. Replying to the Commission's enquiry, the advocate representing EIPL submitted that, date of submission of replies to the data gap will be communicated after discussing the matter with the concerned persons. Accordingly, they confirmed that the replies will be submitted within 3 months time.
7. The Commission after hearing the parties has ordered the following:
 - a. The Petitioner and Respondent-1 to submit the reply to the data gaps raised vide Letter dated 20.12.2017 on or before 12.04.2018.
 - b. The Petitioner and Respondents-1 may submit counter reply to the submission made by the other party on or before 13.05.2018.
 - c. The Petitioner and Respondents will make submissions in the Format prescribed in the Regulations of the Commission and will provide copies of their submissions to the opposite party.
 - d. Technical Validation Session will be conducted after receipt of replies and counter replies from the parties.

The next date of Hearing is fixed on 30.05.2018.

Sd/-
(Subhash Chandra Das)
Member
AERC

Sd/-
(Dipak Chakravarty)
Member
AERC