

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.104/MP/2023

Subject : Petition under section 79(1)(a) and 79(1)(f) of the Electricity Act, 2003 read with Regulation 2(1) and Regulation 36 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019, seeking Provisional Tariff approval on fixation of Lignite Input Price for Neyveli Mines for the period from 01.04.2019 to 31.03.2024.

Date of Hearing : **13.4.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Petitioner : NLCIL

Respondents : TANGEDCO and 17 Ors.

Parties Present : Mr. A. Srinivasan, Advocate, NLCIL
Mr. Mukesh Agrawal, Advocate, NLCIL
Mr. S. Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

During the hearing, the learned counsel for the Petitioner, NLCIL, submitted that the present petition has been filed seeking approval of the provisional Lignite Input Price for Neyveli Mines for the period 2019-24, pending final determination of the Lignite Input price in Petition No. 223/MP/2022. He also submitted that the Commission had tried up lignite price vide corrigendum order dated 26.4.2022 in Petition No. 452/MP/2019 for Rs 2021/Ton for 2018-19. The learned counsel further submitted that considering the lignite price of Rs 2021/Ton as approved by the Commission for 2018-19, the lignite price for 2019-20 will be 2075/Ton.

2. The learned counsel for the Respondent, TANGEDCO pointed out that the present petition may not be considered in the light of the Petition No.223/MP/2022 pending before this Commission. He accordingly suggested that the Commission may hear the parties and dispose of Petition No.223/MP/2022, instead of granting provisional lignite input price. The learned counsel however sought time to file its reply in the matter.

3. On a specific query by the Commission, as to why a miscellaneous petition has been filed seeking provisional tariff, while there is a pending petition (Petition No.223/MP/2022), the learned counsel for the Petitioner submitted that the present



petition may be treated as an Interlocutory Application in Petition No.223/MP/2022, and the prayers sought for may be considered.

4. The Commission, after hearing the parties, directed as under:

- (a) The present petition be merged with Petition No.223/MP/2022 and the present petition be treated as IA in the main petition.
- (b) Admit and Issue Notice.
- (c) The Respondents to file their replies on or before **24.4.2023**. No extension of time shall be granted.

5. The IA (Dy No.1051/2023) along with Petition No.223/MP/2022, shall be listed for hearing on **27.4.2023**.

By order of the Commission

Sd/-
(B. Sreekumar)
Joint Chief (Law)

