

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No.1244 /2012

In the Matter of:

Petition under section 86 (1) (f) of the Electricity Act, 2003 for directions to the respondents to pay the amounts due to the Petitioner in terms of the invoices raised and for determination of fuel cost, fixation of tariff of the biomass based 10 MW power plant at Bhavnagar under section 62 read with section 81 (1) (a) of the Electricity Act, 2003.

Petitioner: M/s. Bhavnagar Biomass Projects Private Limited,
25-35/10/2, Mallikarunjana Nagar,
Mumbai Highway, R.C. Puram,
Hydrabad-502032.

Represented By: Learned Senior Advocate Sanjay Sen with Advocate Shikha Ohri.

V/s.

Respondent No. 1: Gujarat Urja Vikas Nigam Limited,
Sardar Patel Vidhyut Bhavan,
Race Course Circle, Vadodara-390007.

Represented By: Learned Advocate Shri M. G. Ramchandran with Advocate Swapna Sheshadri alongwith Shri V.T.Patel.

Respondent No. 2: Gujarat Energy Development Agency,
4th Floor, Block No. 11 & 12,
Udyog Bhavan, Sector-11,
Gandhinagar, Gujarat.

Represented By: S/Shri S.J. Ruparel and Harish D. Khiya.

CORAM:

Shri Pravinbhai Patel, Chairman

Dr. M. K. Iyer, Member (Finance)

Date: 03/03/2014.

Daily Order

- 1) The matter was kept for hearing on 01.03.2014. Learned Senior Advocate Shri Sanjay Sen, on behalf of the petitioner, submitted that the issues involved in present matter are same and identical with the Petition Nos. 1113/2011 and 1114/2011. The only additional issue in the present matter is to decide tariff for year to year basis. He also submitted that the Hon'ble APTEL also considered the name of the petitioner i.e. M/s. Bhavnagar Biomass Projects Pvt. Limited in its order dated 02.12.2013 in Appeal Nos. 132/2012 and 133/2012. Further, he requested that the Commission may direct the GUVNL to file its reply in the present matter also. He, further, submitted that the hearing of the present case may be kept alongwith the other two petitions, viz, Petition Nos. 1113/2011 and 1114/2011.
- 2) Learned Advocate Shri M.G. Ramchandran, on behalf of the GUVNL, agreed to file an additional reply, if any, within 3 weeks. He submitted that he has no objection to the adjournment sought by the petitioner.
- 3) Having considered the request made by the petitioner to adjourn the matter and the respondents having no objection to the same, we decide to adjourn the matter. We also

direct the Respondents to file its reply, if any, within 3 weeks time from the date of this order with a copy to the petitioner. The petitioner is at liberty to file rejoinder in reply to submissions of the respondents, within 7 days after the receipt of the reply from the respondents.

4) The next date of hearing will be on 29.03.2014 at 11:30 A.M.

5) We order accordingly.

Sd/-
[Dr. M. K. IYER]
MEMBER (Finance)

Sd/-
[SHRI PRAVINBHAI PATEL]
CHAIRMAN

Place: Gandhinagar.

Date: 03/03/2014.