

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
**(Central Act 36 of 2003)**

**PRESENT:-**

<b>ThiruS.Akshayakumar</b>	.... <b>Chairman</b>
<b>Thiru.G.Rajagopal</b>	.... <b>Member</b>
<b>and</b>	
<b>Dr.T.PrabhakaraRao</b>	.... <b>Member</b>

**M.P.No.42 of 2015**

Bharat Aluminium Company Ltd.  
AluminiumSadan  
Core-6, Scope Office Complex  
Lodhi Road, New Delhi – 110 003.  
... Petitioner

(ThiruRahul Balaji  
Advocate for the Petitioner)

Vs.

Tamil Nadu Generation and Distribution Corporation Limited  
Represented by its Chairman and Managing Director  
144, Anna Salai, Chennai – 600 002.

...Respondent

**Date of Order:      **19-09-2016****

**ORDER**

The Petitioner had filed the above M.P.No.42 of 2015 on 15-10-2015 praying to Issue an interim direction to the Respondent to calculate the tariff payable to the petitioner under the PPA between the petitioner and Respondent, without giving effect to the negative values of -28.22% &-13.5% in the published "CERC Escalation Index" for the period of October 2013 to March 2014 & April 2014 to September 2014, due to anomaly between CERC escalation index for domestic coal and the actual pricing of non-coking domestic coal for case-1 bidding finalised against tender documents" bid Specification No.3/PPLT/2012 dated 21.12.2012 pending disposal ofthis petition and to direct the Respondent to adopt the revision of the Escalation

Rates for domestic Coal published by the Central Electricity Regulatory Commission for the purposes of payment in the PPA under Case-I bidding process and/or the revision of the methodology for computing the escalation rates for domestic coal (payment) published by the Central Electricity Regulatory Commission under clause 5.6 (vi) of the competitive bidding guidelines dated 19.1.2005 after the Central Electricity Regulatory Commission passes final orders in the petitions pending before it on these issues in cases filed before it in Petition No.50/MP/2014 and Petition No 62/MP/2014 and in accordance with the terms of the Central Electricity Regulatory Commission's orders in that regard, for the period of the PPA that the Petitioner has entered into with the Respondent, by directing effecting of appropriate amendments to the PPA, if found necessary.

The above petition has been numbered. Before proceeding the case, the Petitioner requested the Commission to permit to withdraw the petition. After considering the request of the Petitioner, the Commission permits the Petitioner to withdraw the above petition. Accordingly, the above M.P.No.42 of 2015 is closed. There is no order as to cost.

(Sd .....)  
**(Dr.T.PrabhakaraRao)**  
Member

(Sd.....)  
**(G.Rajagopal)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

/ True Copy /

Secretary  
Tamil Nadu Electricity  
Regulatory Commission