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23/8/13

**JOINT ELECTRICITY REGULATORY COMMISSION FOR
THE STATE OF GOA AND UNION TERRITORIES
GURGAON**

Coram*
Sh. S.K.Chaturvedi, Member
Petition No. 103/2013

In the matter of 1089-90

Petition for grant of Intra- State Trading Licence under Section 14 of the Electricity Act, 2003 in the State of Goa by Global Energy Pvt. Ltd.

And in the matter of

Global Energy Pvt. Ltd.

..... Petitioner

Present for Petitioner

1. Shri Sanjay Sen, Sr. Advocate, Global Energy Pvt. Ltd.
2. Shri Rajiv Yadav, Advocate, Global Energy Pvt. Ltd.
3. Shri Vikas Gupta, Consultant, Global Energy Pvt. Ltd.

Present for ED- Goa - objector

1. Shri B. Nigalye, Ex. Engineer, Electricity Department- Govt. of Goa- Objector.
2. Shri Kishore M. Jawle, Advocate, Electricity Department- Govt. of Goa- Objector.
3. Shri Roland Martins, Electricity Department- Govt. of Goa- Objector.

Order

19.08.2013

The petitioner – Global Energy Pvt. Ltd. has filed the present petition before this Commission under section 14 of the Electricity Act, 2003 for grant of Intra- State Trading Licence in the State of Goa upto 80 MUs for 5 years.

The Commission found the petition in order as per JERC (Conduct of Business) Regulations, 2009 and admitted on 13.05.2013.

The petitioner as provided under Regulation 5.5 of JERC (Electricity Trading) Regulations, 2010 published the petition in daily "Gomantak Times" dated 12.05.2013 published from Panjim, Goa and the "Navhind Times" dated 12.05.2013 published from Panjim, Goa and uploaded on its official website for inviting objections from all concerned/ stakeholders and general public. But no one filed any objection.

The Commission as provided under Regulation 5.8 of JERC (Electricity Trading) Regulations, 2010 also published the petition in daily "Gomantak Times" dated 12.07.2013 published from Panjim, Goa and "HERAL, GOA" dated 26.07.2013 published from Panjim, Goa and uploaded on its official website for inviting objections from all concerned/ stakeholders and general public and scheduled for public hearing on 19.08.2013 at Nalanda Hall, 5th Floor, EDC House, Atmaram Bonkar Road, Panaji- Goa.

The Commission on 16.07.2013 received objection petition from ED- Goa.

Learned counsel for the petitioner submitted that none filed objections in response to the publication issued by the petitioner and the Commission. The Commission earlier found the petition prima facie in order and as per JERC Regulations.

On the other hand learned counsel for ED- Goa objector submitted that they have filed objection petition. Copy of the objection petition given to the counsel for the petitioner.

The Commission heard learned counsel for the parties at length. Learned counsel for the petitioner to the query of the Commission that when the petitioner has already Inter- State Electricity Trading Licence from Central Electricity Regulatory Commission and the petitioner is authorized to do trading of Electricity anywhere in territory of India why the petitioner requires Intra- State Electricity Trading Licence in the State of Goa could not give satisfactory reply. He prayed for 15 days time for filing response/reply to the objection/ petition of the ED- Goa and reply to the query of the Commission.

Learned counsel for the ED- Goa further submitted that the ED- Goa also wants to file additional objection petition and prayed for three weeks time for filing objection/ petition.

The Commission considered request of both learned counsel for the parties and acceded the same. The Commission directed ED- Goa to file additional objection/ petition, if any, within two weeks with advance copy to the petitioner. Thereafter the petitioner will file reply/ response to the objection/ petition of ED- Goa within 14 days with advance copy to ED- Goa- objector.

Scheduled for hearing on 26.09.2013 at 11:00 AM at Nalanda Hall, 5th Floor, EDC House, Atmaram Bonkar Road, Panaji- Goa on request of parties.

Sd/-

(S.K.Chaturvedi)

Member

(Camp at Nalanda Hall, 5th Floor, EDC House,

Atmaram Bonkar Road, Panaji- Goa)

Chairperson (Vacant)

- * Post of the Chairperson is vacant. As per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 for review of its own orders "Coram is all Members". Whereas according to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. So the Member only constitute a valid quorum.

Certified Copy



(R.K. Malik)

Secretary