

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

Quorum*

Shri S.K.Chaturvedi, Chairperson

Petition No. 130/2014

Date of Order 23.09.2014

In the matter of

Petition for determination of Tariff for supply of surplus power from Co-generation power plant of Goa Sponge & Power Ltd. to Electricity Department Goa under Sections 62(1) (a) and 86 (1) (a) to (e) of the EA, 2003.

And

M/s Goa Sponge & Power Limited, 542, Rafael House Ponguirval, Curchorem, GoaPetitioner

Vs.

Electricity Department- GoaRespondent

Order

The petitioner- M/s Goa Sponge & Power Ltd. has filed the present petition for determination of Tariff for supply of surplus power from Co-generation power plant of Goa Sponge & Power Ltd. to Electricity Department Goa under Sections 62(1) (a) and 86 (1) (a) to (e) of the EA, 2003.

The Commission received the petition on 21.01.2014. The Commission examined the petition and found it in line with the JERC (Conduct of Business) Regulations, 2009 and Electricity Act, 2003. The Commission admitted the petition on 27.01.2014 and numbered it as Petition no. 130/2014.

The Commission held a hearing on 05.05.2014. The respondent also submitted a reply to the petition dated 12.05.2014 and the Commission again held a hearing on 30.05.2014.

The Commission held a further hearing on 18.07.2014 and directed the petitioner to furnish some documents and information for prudence check within 25 days.

The petitioner has filed photocopies of some of the documents but failed to submit all the documents and information supported by an affidavit. The representative of the petitioner prayed for 15 days time for submitting all the information and documents along with affidavit as directed vide order dated 18.07.2014.

The Commission held another hearing on 21.08.2014 and on request of the representatives of the petitioner granted 15 days time to submit all the documents and information supported by an affidavit.

The petitioner submitted an affidavit dated 09.09.2014, received in the Commission on 18.09.2014, with a prayer to allow the petitioner to withdraw the petition.

The Commission considered the affidavit dated 09.09.2014 of the petitioner, allowed the petitioner to withdraw the petition and dismissed the petition as withdrawn.

Sd/-

(S.K.Chaturvedi)

Chairman

Member (Vacant)

- * As per Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 "Quorum is two". Whereas as per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 if Chairperson or the Member is prevented from attending hearing of which he has been given notice the Member or the Chairman as the case may be attending the meeting shall validly constitute the Quorum. Post of the Member is vacant. 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 Chairperson only constitute a valid Quorum.

Certified Copy

(Keerti Tewari)

Secretary