

**BEFORE
THE MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION
SHILLONG**

IN THE MATTER OF:

Review petition on the true up order
dated 30.09.2014 of MSERC for FY 2009-10.

AND

IN THE MATTER OF:

The Byrnihat Industries Association,
Byrnihat, Ri-Bhoi District,

and,

The Meghalaya Power Distribution Corporation Ltd,
Shillong.

ORDER

24.02.2015

Byrnihat Industries Association (BIA) has sometime on 26.11.2014 filed a petition praying for a review of the Commission's truing up order dated 30.09.2014. The truing up relates to FY 2009-10. Petitioner BIA is one of the consumers of the Meghalaya Power Distribution Corporation Ltd (MePDCL), a licensee under the Commission.

2. The grounds for review as stated by the petitioner relate to issues pertaining to expenses on Repair and Maintenance incurred by MePDCL, Depreciation in assets value, Interest and Finance charges and over all true up ARR as determined in the Commission's order dated 30.09.2014. Petitioner contended that the ARR for 2009-10 should be Rs.343.24 crores and not Rs.356.24 crores as trued up.

3. In filing the review petition, petitioner BIA has sought to invoke the provisions of regulation 21 of the MSERC (Conduct of Business) Regulations, 2007 which permits seeking a review of any order on account of some mistake or error apparent on the face of record or for any other sufficient reason.

4. A hearing was arranged for 28.01.2015 and notices were sent out. However, BIA sent only an employee to attend the hearing. Another hearing was held on 23.02.2015 consequent to their request. On 23.02.2015 the same employee attended but offered no comments on the matter.

5. The issues sought to be raised as grounds for the instant review petition are on the amounts of the expenses projected in the accounts of licensee MePDCL and the amount allowed by the Commission in its order. The issues raised in the instant petition have been looked into. The factual position is that the accounts of FY 2009-10 have been subjected to audit scrutiny by the C&AG and also to prudence check by the Commission. The findings of the earlier Commission on the ARR 2009-10 vide its order dated 05.08.2010 and the Statement of Accounts audited by C&AG have been kept in view by the Commission while truing up. The grounds as sought to be raised in the review petition are the petitioner's own contention having little bearing on the factual position of the ARR as decided. No case of 'error apparent on the face of record' or otherwise has been made out in the instant petition.

6. The petition, therefore, stands dismissed and is disposed of accordingly.

ANAND KUMAR
CHAIRMAN