

Present for: Petitioner M/s Jaiparkash Hydro : Sh.Rajnish Ranjan, Adv.  
Power Sh.S.D.Nailwal,  
Sh.A.B.Chugh,  
Sh. R.R. Sharma, AGM

HPSEB: Sh.Bimal Gupta, Adv.  
Er.B.K.Kaushal, Director (PSP)  
Er. M.S. Thakur, Sr.EXN(PSP)

HP Govt: Kr.Kuldeep Singh, Sr.Adv.  
Sh.Ashok Sharma,  
Addl. Secretary (MPP& Power).

Consumer Representative Sh.P.N. Bhardwaj,  
(under section 94 (3) of the  
Electricity Act, 2003).

Interim Order

**28.10.2006.**

Heard.

Kr.Kuldeep Singh, Ld. Advocate appearing for the Govt. of Himachal Pradesh has conceded that the policy directions given under section 108 of the Electricity Act, 2003 are to guide and assist this Commission to determine fair and just tariff under the provisions of the Act. The learned Counsel appearing for the petitioner company has also submitted that the tariff determination is the prerogative of the Commission. The petitioner Company has already made its submissions, as such requested the Commission to decide the tariff petition.

The Commission observes that the capital cost of the project as stated by the parties is at variance. The Commission, therefore, expects the parties to make, if they like, their written submissions by the 10<sup>th</sup> Nov., 2006 to render effective assistance to this Commission for determination of the capital base of the BASPA-II HEP. The submissions so made shall be taken into consideration before the tariff is determined and announced.

Subject to the above the order is reserved and the date for announcement of the tariff shall be notified to the parties.

(Yogesh Khanna)  
Chairman.

