ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
PLOT NO.-4, CHUNOKOLI, SHAILASHREE VIHAR
BHUBANESWAR - 751 021

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Present: **Shri U. N. Behera, Chairperson**
Shri S. K. Parhi, Member
Shri G. Mohapatra, Member

Case No. 58/2020

M/s. OHPC Limited …… Petitioner
Vrs.
M/s. GRICO Ltd. & Others …..... Respondents

In the matter of: **Application under Section 94(1)(f) of the Electricity Act, 2003 read with Order 47 Rule 1 of Civil Procedure Code, 1908 and Regulation 70 of Odisha Electricity Regulatory Commission (Conduct of Business) Regulations 2004, seeking review of the order dated 20.03.2020 passed by the Commission in Case No. 52 of 2019 regarding approval of NAPAF of Hydro Power Stations for the Control Period from 01.04.2019 to 31.03.2024 as per para 122 of the Tariff Order of OHPC Ltd. for FY 2019-20.**

For Petitioner: Shri D. N. Patra, GM (Elect.) of OHPC Ltd.

For Respondent: Shri S. K. Panda, GM (PP) and Ms. Murchhana Dhar, AGM(PP) of GRIDCO Ltd., Shri Ananda Kumar Mahapatra and Shri R.P. Mohapatra. Nobody was present on behalf of DoE, GoO, Shri Alekha Chandra Mallick and Shri Ramesh Chandra Satpathy.

ORDER

Date of hearing: 12.01.2021 **Date of order: 18.05.2021**

The petitioner OHPC Ltd. has filed the present petition seeking review of the Commission's order dated 20.03.2020 passed in Case No.52 of 2019 regarding approval of Normative Annual Plant Availability Factor (NAPAF) of its Hydro Power Stations for the Control Period from 01.04.2019 to 31.03.2024.

2. The petitioner has submitted that OHPC Board of Directors in 157th meeting advised to file review petition before the OERC for review of the Order dated 20.03.2020 in Case No.52 of 2019 with a prayer to reduce NAPAF as per realistic achievement keeping in view the life of the machines vis-à-vis the performance of machines during last 5 years. In the context of non-consideration of NAPAF as proposed by OHPC for its power stations for the block period 2019-2024, which was in line with the principles/ guidelines set by OERC in their earlier Orders and those of CERC for the

present block period, OHPC has filed this review petition with the prayer to review the said Order dtd. 20.03.2020 on the basis of errors apparent on the face of the record as well as sufficient reason for revision of the Order on account of deviations from the benchmark NAPAF approved in the earlier Order dtd. 02.11.2010 passed by OERC in Case No. 65 of 2010 and the methodology adopted by CERC for determination of NAPAFs of Hydro Electric Power Stations.

3. The Commission in its Order dtd. 02.11.2010 in Case No 65/ 2010 had derived the benchmark NAPAFs for OHPC power stations considering the percentage head variation with analytics and mathematical approach/model as prescribed in CERC Generation Tariff Regulations, 2009. Then taking into consideration the plant specific constraints and actual performance over previous years, the Commission had provided suitable allowance on the benchmark NAPAFs and approved the designed NAPAFs of OHPC power stations for the 1st block period i.e. from FY 2009-10 to 2013-14 for recovery of the Annual Capacity Charges.

4. OHPC has submitted that Regulation 27 (1) of CERC (Terms and Conditions of Tariff) Regulations, 2009 stipulates that;

(1) Normative Annual Plant Availability Factor (NAPAF) for hydro generating stations shall be determined by the Commission as per the following criteria.

i) Storage and Pondage type plants with head variation between Full Reservoir Level (FRL) and Minimum Draw Down Level (MDDL) of upto 8% and where plant availability is not affected by silt: 90%.

ii) Storage and Pondage type plants with head variation between FRL and MDDL of more than 8%, where plant availability is not affected by silt: Plant specific allowance to be provided in NAPAF for reduction in MW output capability as reservoir level falls over the months. As a general guideline the allowance on this account in terms of multiplying factor may be worked out from the projection of annual average of net head applying the formula:
(Average head / Rated head) +0.02

Alternatively in cases of difficulty in making such projection, the multiplying factor may be determined as: (Head at MDDL / Rated Head) x 0.5+0.52

iii) Pondage type plants where plant availability is significantly affected by silt:85%

iv) Run-of-river type plants: NAPAF to be determined plant-wise based on 10 days design energy data, moderated by past experience where available / relevant.

(2) A further allowance may be made by the Commission in NAPAF determination under special circumstances, e.g. abnormal silt problem or other operating conditions, and known plant limitations."

5. In view of the above provisions, the percentage head variations of different types of hydro power stations are computed applying the formula:

% head variation = {(Head at FRL – Head at MDDL)/ Head at MDDL} x 100

In case of high head Hydro Power Stations i.e. UIHEP, UKHEP & BHEP where percentage head variation is within 8%, the MW output remain almost at the rated capacity between FRL (Full Reservoir Level) and MDDL (Minimum Draw Down Level) over the months. Hence, the Benchmark NAPAFs of these power stations are usually kept at higher side i.e. 90% (if not affected by silt) based on the CERC norms. But in case of low head power stations like HHEP & RHEP the percentage head variation is remarkable; hence the MW output from these generators fall from their rated capacity as the reservoir level falls from FRL to MDDL during the months. Consequently the Benchmark NAPAFs of these power stations are set at lower side with the Multiplication Factor (MF) which is computed applying the following formula as prescribed by CERC:

MF= {(Head at MDDL/ Rated Head) x 0.5} + 0.52.

6. However, the case of CHEP which is not a reservoir based power station and utilizes the discharged water from HHEP for generation, the head variation is considered insignificant. But it has its own plant specific limitations arising out of restricted water carrying capability in its hill channel carrying water to its fore-bay from the ponds for power generation. As a result the maximum output from Chiplima power station remains at 64.77 MW which is 90% of its rated capacity of 72 MW. Accordingly its MF had been taken as 0.9 by the OERC. Considering the above, the Commission in its Order dated 02.11.2010 in Case No. 65/2010 had determined the Benchmark NAPAFs for OHPC Power Stations as given below:

Power Station	**Head at FRL (Mtr.)**	**Head at MDDL (Mtr.)**	**Head Variation (%)**	**Plant Availability affected / not affected by Silt**	**Plant Specific Allowance in terms of MF**	**Benchmark NAPAF**
UKHEP	266	252	**5.5**	Not affected by Silt	Not Applicable (NA)	**90**
BHEP	297.10	273.90	**8.4**	-do-	NA	**90**
UIHEP	378.55	361.55	**4.7**	-do-	NA	**90**
HHEP	33.52	21.33	**57**	-do-	0.8763	**79**
RHEP	41	27.22	**50**	-do-	0.86	**77**
CHEP	-	-	-	Affected due to restricted water carrying capability of hill channel	0.90	**81**

7. Further, considering the operating conditions of the generating units and their availability over previous five years, the Commission in its Order dated 02.11.2010 in Case No. 65/2010 had provided further allowance as per Regulation 27 (2) of CERC (Terms & Conditions of Tariff) Regulations, 2009 and approved Designed NAPAFs of OHPC Power Stations for the 1st Block period i.e. FY2009-10 to FY2013-14 as given below:

Power Stations	**Benchmark NAPAF approved (%)**	**Average Availability over last 5 years (2005-2010) (%)**	**Allowance allowed by OERC with reasons as per CERC Norm (%)**	**Designed NAPAF approved by OERC for 1st Block (2009-2014) (%)**
HHEP	79	78.69	1 (for aging of machines)	**78**
CHEP	81	60.2	6 (for weeds problem)	**75**
BHEP	90	87.69	5 (for aging of machines)	**85**
RHEP	77	76.78	2 (for aging of machines)	**75**
UKHEP	90	85.48	5 (for aging of machines)	**85**
UIHEP	90	86.47	2 (for Removal of Debris at intake & machine problem)	**88**

8. The Commission, in the ARR & Tariff Order of OHPC for the FY 2014-15 dtd. 22.03.2014 in Case No. 81/2013, had approved the Designed NAPAFs of OHPC power stations for 2nd block period i.e. from FY 2014-15 to FY 2018-19 considering the same principle as adopted in the 1st Block period which is shown in the table below:

Power Stations	**Benchmark NAPAF (%)**	**Average availability over last 5 years (%)**	**NAPAF Proposed by OHPC (%)**	**Designed NAPAF Approved for previous block period (%)**	**Relaxation provided over previous block period (%)**	**Designed NAPAF approved for 2nd Block period (2014-2019) (%)**
HHEP	79	73.91	73	78	Nil	78
CHEP	81	78.63	70	75	Nil	75
BHEP	90	80.38	80	85	2% relaxed	83

Power Stations	Benchmark NAPAF (%)	Average availability over last 5 years (%)	NAPAF Proposed by OHPC (%)	Designed NAPAF Approved for previous block period (%)	Relaxation provided over previous block period (%)	Designed NAPAF approved for 2nd Block period (2014-2019) (%)
					based on previous 5 year performance	
RHEP	77	76.97	70	75	Nil	75
UKHEP	90	88.59	85	85	Increased by 2% based on previous 5 year performance.	87
UIHEP	90	93.35	88	88	Nil	88

9. OHPC has submitted that CERC in their Tariff Regulations have shown liberal attitude in fixing Designed NAPAF in a way such that recovery of the approved Annual Capacity Charge by a Hydro Generator remain well protected. Similarly, OERC had also taken a lenient approach in fixing the Designed NAPAF of OHPC Power Stations for the 1st Block Period i.e. 2009-2014 at Para No. 38 and 39 of the Order dated 02.11.2010 in Case No. 65 of 2010 which is reproduced below.

"Para 38: .....X.....X....X.....OHPC stations are supplying low cost power to the State and help to maintain the BSP at a lower level. In case OHPC stations could not achieve the NAPAF fixed by the Commission, OHPC would not be able to recover its normative capacity charge and hence the Annual Revenue Requirement. This may lead to lower expenditure towards O&M of its old machines and consequently more outage and less plant availability which will further reduce the capacity charge and reduction in recovery of ARR.

Para 39: Therefore, while determining the NAPAF of OHPC generating stations for the FY 2009-10 to 2013-14, the Commission has to take a realistic view considering the submissions of both the petitioner and the respondents along with guidelines provided in CERC Tariff Regulations, 2009 and the Statement of reasons thereon, as the tariff of OHPC stations is being determined based on the CERC norms."

10. Further, CERC in their Order of Statement of Reasons to Tariff Regulations, 2019, have mentioned the guidelines for fixing of Designed NAPAFs for Hydro Power Stations (Para-14.5, Page-37), which is produced below.

14.5.1 "*The draft 2019 Tariff Regulations provides for NAPAF and Auxiliary Energy Consumption for hydro generating stations.* ***The NAPAF norms for hydro generating stations have been proposed by taking into consideration existing NAPAF norms and actual availability achieved during last five years' period by these hydro generating stations****."*

14.5.2 "*Some of the stakeholders submitted that while determining NAPAF norms, the Commission should not consider average availability beyond 90%, as the same may or may not be achieved in the subsequent years and in such case, the hydro generating stations shall not be able to recover its annual fixed cost. The Commission has also observed that NAPAF exceeding 90% had also not provided in the earlier Tariff Regulations.* ***Therefore, the Commission has decided that the NAPAF norms shall be capped at 90%.*** *Further, the NAPAF norms for certain hydro generating stations, which were left out in the draft 2019 Tariff Regulations on account of non-availability of data, have now been included.*"

11. In view of the above, OHPC has submitted that the approved Designed NAPAF should always remain below the Benchmark NAPAF and it should be fixed nearer to the actual average availability achieved during last five years and there after providing necessary plant specific allowance on account of known operational constraints for optimum recovery of Annual Capacity Charges. But the Commission while approving the Designed NAPAFs for OHPC Power Stations for the 3rd Block i.e. 2019-2024 in its Order dated 20.03.2020 in Case No.52/2019, have apparently deviated from the principles adopted in approving the Designed NAPAFs for the 1st& 2nd block period as well as from the aforesaid prescribed norms of CERC in their order of Statement of Reasons. OHPC has submitted that Designed NAPAF fixed by the Commission for the 3rd Block i.e. FY 2019-2024 in respect of HHEP, CHEP, BHEP and UKHEP is at much higher side than the actual average availability over previous 5 years, which is in contravention to the principles already set by the Commission in their previous Orders. Similarly the Designed NAPAF of RHEP has been fixed by the Commission at a higher value than the Benchmark NAPAF already set in the earlier Order dated 02.11.2010 in Case No. 65/2010 which is contradicting to the underlying principle of Benchmark NAPAF vis-à-vis Designed NAPAF. Only the Designed NAPAF of UIHEP has been fixed as per the prescribed norms and guidelines of OERC and CERC.

12. OHPC has submitted that they had filed a separate petition for approval of Designed NAPAF of different power stations of OHPC for the 3rd block period i.e. from FY 2019-20 to FY 2023-24 in line with the previous approvals of OERC, along with the actual availability of power stations during last five years and power house specific constraints. The Commission in its Order dated 20.03.2020 in Case No. 52/2019 had approved the NAPAF for the control period 2019-2024 as shown in the Table below:

Power Stations	NAPAF approved for previous block period (2014-2019) (%)	Average availability of OHPC power stations over last 5 years (2014-2019) (%)	NAPAF Proposed by OHPC (2019-2024) (%)	Allowance provided by OERC over the approval of (2014-2019) (%)	NAPAF approved by OERC for 2019-2024 (%)
HHEP	78	64.77	64	3% (for reduced inflow in the reservoir & silting problem)	75
CHEP	75	67.60	65	Nil	75
BHEP	83	81.25	80	4% (enhancement considered for FY 2022-23 & 2023-24 after R&M works)	83 for first 3 years & 87 for balance 2 years.
RHEP	75	81.87	75	5% (increased based on previous block performance)	80
UKHEP	87	81.28	80	Nil	87

13. OHPC has submitted that for HHEP, CHEP and UKHEP actual average availability of last block has not been considered by the Commission as per its observations while fixing the designed NAPAF of 1st & 2nd block and the CERC norm. In case of BHEP also actual average availability of last block has not been considered and further higher availability of 4% is given in the current block after R&M works, which should be given effect in the next Block i.e. for the period 2024-2029 after observing the actual average availability after R&M works. In case of RHEP designed NAPAF cannot be more than benchmark NAPAF of 77% already fixed by the Commission earlier. However, designed NAPAF may be capped at benchmark NAPAF as per CERC norms.

14. OHPC has submitted that in view of the above errors apparent on the face of the record and sufficient reasons for review, they have filed the present petition for review of the Commission's Order dated 20.03.2020 in Case No. 52/2019 and has prayed the Commission to:

i) Re-fix the Designed NAPAF of HHEP, Burla at 65% considering last five year performance as per CERC norms and which is also in line with the previous approvals of OERC for 1st & 2nd Blocks.

ii) Re-fix the Designed NAPAF of CHEP, Chiplima at 68% considering last five year performance as per CERC norms and which is also in line with the previous approvals of OERC for 1st & 2nd Blocks.

iii) Re-fix the Designed NAPAF of BHEP, Balimela at 81% considering last five year performance as per CERC norms and which is also in line with the previous approvals of OERC for 1st & 2nd Blocks.

iv) Re-fix the Designed NAPAF of RHEP, Rengali at 77% by capping the same at its Benchmark NAPAF (77%) as per CERC norms.

v) Re-fix the Designed NAPAF of UKHEP, Baraniput at 81% considering last five year performance as per CERC Norms and which is also in line with the previous approvals of OERC for 1st & 2nd Blocks.

15. The respondent GRIDCO has submitted that the Commission in their order dated 02.11.2010 in Case No.65 of 2010 had determined the NAPAF of OHPC Power stations based on the then CERC Regulations since OERC Regulations was not there. After notification of OERC Generation Tariff Regulations, 2014, the tariff of OHPC power stations have been determined based on these Regulations. Accordingly, NAPAF of OHPC Power Stations for the Control Period FY 2019-20 to 2023-24 should also be determined based on the OERC Generation Tariff Regulations, 2020. Therefore the petition of OHPC for review of the Commission's order dated 20.03.2020 in Case No.52 of 2019 as per the Commission's earlier order dated 02.11.2010 in Case No.65 of 2010 is not justified.

16. Further as per Regulation 27 of CERC Tariff Regulations, 2009, the head variation of different hydro power stations along with the multiplying factor was required for computation of NAPAF. However, in the subsequent CERC Tariff Regulations, 2014 & 2019, though the provision of head variation for calculation of NAPAF exists the provision of multiplying factor does not exist. Similarly, in OERC Generation Tariff Regulations, 2014 and 2020, the concept of multiplying factor for determination of NAPAF also does not exist. Therefore, OHPC in its original petition for approval of NAPAF of its power stations had prayed for determination of NAPAF based on the actual performance of its power stations for last five years with due consideration of the constraint faced by it. Accordingly, the Commission in the impugned order dated 20.03.2020 have determined the NAPAF of different power stations of OHPC. Further, OHPC in its ARR application for FY 2014-15 had also prayed for determination of NAPAF of its power stations for the control period from FY 2014-15

to 2018-19 considering the actual availability of its power stations during the last five years along with necessary relaxations for optimum recovery of capacity charges. Accordingly, the Commission had also determined the NAPAF of OHPC stations for the control period from FY 2014-15 to 2018-19. Therefore, the contention of OHPC in its review petition that the Commission has deviated from the methodology for determination of NAPAF in Case No.52 of 2019 is not correct.

17. In case of Rengali Power Station the plant availability achieved during the financial year from 2014-15 to 2018-19 is higher than the approved NAPAF of 75% for the said period (2014-15- 85%, 2015-16- 85.78%, 2016-17- 85.69%, 2017-18- 72.02% and 2018-19- 80.85%). Therefore, fixing the NAPAF at 80% for Rengali power station for the block period 2019-24 is justified. In case of Balimela Power Station different generating units are under renovation and modernisation work during the block period 2019-24 and the R&M works of various generating units of Balimela power station will be completed within 31.03.2021 as per the schedule of OHPC. Since renovation of generating station envisages better performance and more generation, the fixation of NAPAF of Balimela power station at 83% for first three years and 87% for the subsequent two years for the control period 2019-24 as fixed by the Commission in the impugned order appears to be reasonably justified. The submission of OHPC to give effect of the NAPAF of 87% Balimela power station in the next control period instead of the current control period is not acceptable. The NAPAF of all other stations fixed by the Commission in the impugned order for the control period 2019-24, are same as fixed for the previous control period except Hirakud Power Station where it has been reduced to 75% from 78%.

18. GRIDCO has stated that the contention of OHPC that the Commission has determined the benchmark NAPAF in its order dated 02.11.2010 in Case No.65 of 2010 and fixed the NAPAF of OHPC power stations giving allowance on case to case basis, is not correct, because in the said order the concept of benchmark NAPAF is not mentioned anywhere. Therefore, deviation from benchmark NAPAF in the impugned order, as stated by OHPC is without any meaning. In view of the above, GRIDCO has submitted that there is no error apparent on the face of the record and sufficient reasons to review the impugned order dated 20.03.2020, hence it is liable for rejection.

19. The respondent Shri R P Mohapatra has submitted that all the hydro power stations of OHPC are storage and pondage type plants. The benchmark NAPAF for these power

stations shall be 90% where head variation is upto 8% and not affected by silt (Chipilima, Balimela, Upper Kolab & Upper Indravati Power Stations). The NAPAF of 90% shall be multiplied by a factor as provided in CERC Tariff Regulations, 2009 to determine the benchmark NAPAF of the hydro power stations when head variation is more than 8% and plant availability is not affected by silt (Hirakud and Rengali Power Stations). The Commission in its order dated 02.11.2010 in Case No.65 of 2010 had determined the NAPAF of OHPC power stations as per the above CERC Regulations since no Generation Tariff Regulations of OERC was available then. In case the pattern of flow into the reservoir changes, the average head will also change, in which case the benchmark NAPAF will also change due to change in multiplying factor. The multiplying factor will also change in case of variation in the MDDL. Therefore, the benchmark NAPAF of Hirakud power station should increase as the MDDL is remaining at 595 ft. compared to the design MDDL of 590 ft. However, the NAPAF for such power stations will always remain below 90%.

20. Shri Mohapatra further submitted that in view of the above the NAPAF of Rengali power station can be higher than the benchmark NAPAF fixed by the Commission in its order dated 02.11.2010 in Case No.65 of 2010 for the control period 2009-2014. Therefore, the Commission while determining the NAPAF of Rengali power station at 80% for the control period 2019-24, has considered the average actual plant availability factor achieved during the previous control period. Para 14.5.2 of the CERC order of Statement of Reasons on approval of NAPAF for CERC Tariff Regulations does not stipulate that the design NAPAF shall remain below the benchmark NAPAF. This clause only provides that the design NAPAF shall not exceed 90%. He submitted that as per the Regulations for determination of NAPAF, a further allowance may be made by the Commission under special circumstances, e.g. abnormal silt problem or other operating conditions and known plant limitations. But in case of OHPC power stations the age of generating equipment or loss of generation on account of breakdown caused by poor maintenance cannot be considered for the purpose of making further allowance in determination of NAPAF. It is the responsibility of the OHPC to carry out R&M of its generating units before deterioration of performance due to ageing. OHPC is not carrying out timely capital maintenance and R&M of its generating unit which are even more than 45 years old. On the other hand it is making huge investments in unrelated activities like equity in OCPL, OPGC and mega constructions of buildings. Therefore, allowing lower

NAPAF to the power stations of OHPC to recover the normative capacity charge is not justified.

21. He further stated that in the impugned order the Commission have stated the reasons for determination of NAPAF of all hydro power stations of OHPC for the control period 2019-2024. In view of the above, he has prayed the Commission to reject the present review petition filed by OHPC, determine the NAPAF of Hirakud power station considering MDDL as 595 ft., determine NAPAF of UIHEP as 90% and adjust the excess capacity charge received by OHPC on account of lower NAPAF of Hirakud and Upper Indravati power stations during the FY 2019-20 and 2020-21.

Commission's Observation:

22. The Commission heard the parties. Their written notes of submission are taken into record. The Commission observed that the NAPAF of OHPC power stations were determined by the Commission for the control period FY 2009-2014 based on the norm specified in CERC (Terms and Conditions of Tariff) Regulations, 2009 in absence of OERC Generation Tariff Regulations. Similarly, for the second control period i.e. from FY 2014-2019 the Commission has determined the NAPAF of OHPC power stations based on the OERC (Terms and Conditions for Determination of Generation Tariff) Regulations, 2014 with consideration of actual plant availability during last five years i.e. from FY 2009-10 to 2013-14. Further, the Commission vide the impugned order dated 20.03.2020 in Case No.52 of 2019, has determined the NAPAF of OHPC power stations for the third control period i.e. from FY 2019-20 to 2023-24 based on the principle adopted for determining the NAPAF for the second control period, since at that time OERC (Terms and Conditions for Determination of Generation Tariff) Regulations, 2020 was not notified. However, the principle of determination of NAPAF in OERC Generation Tariff Regulations, 2014 and 2020 are all the same.

23. The Commission further observed that OHPC has referred para 14.5.1 and 14.5.2 of the order of CERC on the Statement of Reasons to the CERC (Terms and Conditions of Tariff) Regulations, 2019 which is reproduced below:

"14.5.1 *The draft 2019 Tariff Regulations provides for NAPAF and Auxiliary Energy Consumption for hydro generating stations. The NAPAF norms for hydro generating stations have been proposed by taking into consideration existing NAPAF norms and actual availability achieved during last five years' period by these hydro generating stations.*

14.5.2 *Some of the stakeholders submitted that while determining NAPAF norms, the Commission should not consider average availability beyond 90%, as the same may or may not be achieved in the subsequent years and in such case, the hydro generating stations shall not be able to recover its annual fixed cost. The Commission has also observed that NAPAF exceeding 90% had also not provided in the earlier Tariff Regulations. Therefore, the Commission has decided that the NAPAF norms shall be capped at 90%. Further, the NAPAF norms for certain hydro generating stations, which were left out in the draft 2019 Tariff Regulations on account of non-availability of data, have now been included.*"

The Commission observed that the above stipulations of CERC has not been violated while determining the NAPAF of OHPC power stations for the third control period i.e. from FY 2019-20 to 2023-24, vide the impugned order dated 20.03.2020. Further, in the said order power station wise reasons have been given by the Commission while determining the NAPAF.

24. The Commission observed that as per the provision of the Electricity Act, 2003, for reviewing its decisions, the Commission acts as a Civil Court, where the provisions of Civil Procedure Code, 1908 become applicable. As per order 47 Rule-1 of CPC, 1908 review can be made under the following cases:

- Upon discovery of new or important matter or evidence, which could not be produced during the time passage of an order, despite due diligence;
- If there is a mistake or error apparent on the face of record;
- Any other sufficient reason, as per the discretion of the Court.

25. The Commission observed that the present petition filed by OHPC for review of the Commission's order dated 20.03.2020 passed in Case No.52 of 2019 does not satisfy any of the above conditions for review. Rather it appears that the present petition is for rehearing of the case. Therefore, the Commission rejects the present review petition filed by OHPC.

26. Accordingly, the case is disposed of.

Sd/-	Sd/-	Sd/-
(G. Mohapatra)	**(S. K. Parhi)**	**(U. N. Behera)**
Member	**Member**	**Chairperson**