

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 79/MP/2013

Sub: Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Articles 13 and 17 of the Power Purchase Agreement dated 07.08.2007 executed between the Distribution Companies in the State of Haryana and PTC India Limited and the back to back PPA dated 12.3.2009 entered into between GMR Energy Limited and PTC Indian Limited for compensation due to change in law impacting revenues and costs during the operating period.

Petition No. 81/MP/2013

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Date of Hearing : 11.6.2013

Coram : Shri V. S. Verma, Member
Shri M. Deena Dayalan, Member
Shri A.S.Bakshi, Member (EO)

Petitioners : GMR-Kamlanga Energy Limited, Bangalore
GMR Energy Limited, Bangalore

Respondents: : Dakshin Haryana Bijili Vitran Nigam Limited & Others

Parties present : Shri Amit Kapur, Advocate ,GMR
Shri Vishrov Mukherjee, Advocate, GMR
Shri G.Umapathy, Advocate, Haryana
Shri Sugesh Guru, Advocate, DHVNL
Shri Varun Pathak, Advocate, DHVNL

Record of Proceedings

Learned counsel for the petitioners submitted that the generating stations of the petitioners have composite scheme for generation and sale of electricity in one State and hence come within jurisdiction of the Commission. Learned counsel further submitted that the claims of the petitioner are admissible under change in law as laid down in Article 13 of PPA.

2. Learned counsel for the Haryana requested for fifteen days time to file its reply to the petitions, including the question of maintainability.

3. The Commission after hearing the learned counsels admitted the petitions and issued notice to the respondents. The respondents are directed to file their replies, including on the question of maintainability, with an advance copy to the petitioners, on or before 27.6.2013. Rejoinder, if any, shall be filed by the petitioners by 12.7.2013.

4. The petitions shall be listed for hearing on 25.7.2013.

By order of the Commission

**SD/-
(T. Rout)
Joint Chief Legal**