

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. MP/008/2014  
with I.A. No. 6/2014**

Subject : Evolving a mechanism for grant of an appropriate adjustment/ compensation to offset financial/ commercial impact of change in law during Construction and Operating period.

Date of hearing : 24.7.2014

Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri M. Deena Dayalan, Member  
Shri A.K. Singhal, Member

Petitioner : EMCO Energy Limited

Respondents : Maharashtra State Electricity Distribution Co. Limited and others

Parties present : Shri Amit Kapoor, Advocate for petitioner  
Shri Vishrov Mukherjee, Advocate for petitioner  
Shri Rohit Venkat, Advocate for petitioner  
Shri Rohan Jodhan, Emco  
Shri Anand K. Ganesan, Advocate, DNH Power  
Shri Samir Malick, MSEDCL

**Record of Proceedings**

Learned counsel for the petitioner requested to take up the matter on maintainability and merits and direct the respondents to file their replies on both these aspects. In this regard, learned counsel for the petitioner submitted that similar direction was issued in the Record of Proceedings for the hearing dated 8.7.2014 in Petition No. 53/MP/2014. In response, learned counsel for DNH Power raised its objection and submitted that the matter should be taken up on maintainability only.

2. Learned counsel for the petitioner further submitted that MSEDCL has not filed its reply so far.

3. The Commission directed the respondents to file their replies on maintainability, on affidavit by 14.8.2014 with an advance copy to the petitioner who may file its rejoinder by 29.8.2014.

4. The petition shall be listed for hearing on 9.9.2014 on maintainability.

By order of the Commission  
Sd/-

(T. Rout)  
Chief (Law)