

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

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

**Date of Hearing: 20.11.2014**

**Date of Order: 26.11.2014**

**Petition No. 304/MP/2013**

**In the matter of**

Petition for adjustment of generation tariff and other consequential reliefs.

**And  
in the matter of**

Godavari Green Energy Limited  
Hira Arcade, Pandri, Raipur-492 001

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Petition No. 312/MP/2013**

**In the matter of**

Petition under Section 79 of the Electricity Act, 2003 for grant of compensatory tariff on account of depreciation in rupee.

**And  
in the matter of**



Rajasthan Sun Technique Energy Private Limited

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Petition No. 313/MP/2013**

**In the matter of**

Petition for adjustment of generation tariff and other consequential reliefs

**And  
in the matter of**

Rajasthan Sun Technique Energy Private Limited

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Petition No. 327/MP/2013**

**In the matter of**

Petition for adjustment of generation tariff and other consequential reliefs



**And  
in the matter of**

Diwakar Solar Projects Limited, Hyderabad

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Petition No. 14/MP/2014**

**In the matter of**

Petition for adjustment of generation tariff and other consequential reliefs

**And  
in the matter of**

KVK Energy Venture Private Limited  
6-3-1109A/1, 3rd FLOR,  
Navabharath Chamber,  
Raj Bhawan Road, Hyderabad-500 082

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**



**Petition No. 16/MP/2014**

**In the matter of**

Petition for adjustment of generation tariff and other consequential reliefs

**And  
in the matter of**

MEIL Green Power Limited  
S2 Technocrat Industrial Estate,  
Balanagar, Hyderabad

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Petition No. 41/MP/2014**

**In the matter of**

Petition for adjustment of generation tariff and other consequential reliefs.

**And  
in the matter of**

Aurum Renewable Energy Limited,  
"Aurum Platz" B N Cross Lane  
Pandita Ramabai Marg  
Mumbai- 400007

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003



2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Petition No. 42/MP/2014**

**In the matter of**

Petition for adjustment of tariff, extension of time for execution of project and other consequential reliefs.

**And  
in the matter of**

Corporate Ispat Alloys Limited  
601, Tulsiani Chambers, Nariman Point,  
Mumbai- 44002

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Following were present:**

1. Shri Sakiya Choudhery, Advocate, SPCL, KVK, GGEL and MEIL
2. Shri M.G.Ramchandran, Advocate, NVVN
3. Ms Anushree Bardhan, Advocate, NVVNL
4. Shri BUM Reddy, NVVNL
5. Shri Dharmendra Singh, NVVNL
6. Shri P.K.Mahajan, NVVNL
7. Shri Amit Arora, GGEL
8. Shri N.K.Dev, RSPTCL
9. Shri Akhil Sibal, Advocate, DSPL
10. Ms. Saloni Tangri, DPSL
11. Shri Nikil, DPSL
12. Shri Amit Arora, GGEL



## ORDER

The Commission in its order dated 8.9.2014 in Petition No. 304/MP/2013 and other related petitions had issued the following directions:

"3. We have heard the learned senior counsel and the counsels for the parties. After considering the request of MNRE, we allow time till 31.10.2014 to the concerned authorities to consider and dispose of the representations of the petitioners. Till the next date of hearing, NVVN is directed to maintain *status quo* and not to encash the Performance Bank Guarantee of the petitioners. The petitioners are directed to keep the Performance Bank Guarantee valid taking into account the extended time in line with terms and conditions of their respective PPA."

2. It is noted that Ministry of New and Renewable Energy (MNRE) vide its letter dated 30.10.2014 addressed to the Secretary of the Commission has requested for extension of the date for consideration of the representations of the petitioners by two months i.e till 31.1.2015. The relevant extract of the said letter dated 30.10.2014 is as under:

"2. As per CERC's Order, MNRE is expected to consider and dispose of the representations of the petitioners by 31.10.2014.

3. The Expert Committee deputed by MNRE to assess the CSP Projects submitted the final report on its recent assessment of the status, progress and likely date of commercial operation for the solar thermal power plants under JNNSM Phase-I on 8.7.2014. The report has been reviewed in MNRE and the matter has to be referred back to the Expert Committee Members for further elaboration. The elaborations/final recommendations of the Expert Committee will need to be assessed and put up for consideration of higher authorities and the final decision on the same may take time.

4. Considering this position, it is requested that CERC may consider to extend the specified time limit of 31.10.2014 for consideration of the SPDs representations by the concerned authorities mentioned in para 4.4 of the Guidelines by a further period of 3 months viz till 31.01.2015."



3. We have heard the learned counsels for the parties. Learned counsel for NVVN submitted that in a few cases, the petitioners have refused to extend the validity of the bank guarantee. Learned counsels for the petitioners submitted that bank guarantee have been extended in all cases.

4. After considering the request of MNRE, we allow time till 31.1.2015 to the concerned authorities to consider and dispose of the representations of the petitioners. Till the next date of hearing, NVVN is directed to maintain *status quo* and not to encash the Performance Bank Guarantee of the petitioners. The petitioners are directed to keep the Performance Bank Guarantee valid taking into account the extended time in line with terms and conditions of their respective PPA and claim period of at least one month.

5. It is clarified that no further extension of time will be granted. If no communication is received from MNRE by 31.1.2015, the Commission will proceed to dispose of the petitions on merit.

6. The petitions shall be listed for hearing on 10.2.2015.

**Sd/-**  
**(A.S. Bakshi)**  
**Member**

**sd/-**  
**(A. K. Singhal)**  
**Member**

**sd/-**  
**(M. Deena Dayalan)**  
**Member**

**sd/-**  
**(Gireesh B. Pradhan)**  
**Chairperson**

