

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

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

Date of Order: 17.4.2015

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

Application for stay.

**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

Application for stay.

**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

Application for stay.

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

Application for stay.



**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

ORDER

The Commission in its order dated 12.2.2015 in Petition No. 304/MP/2013 and other related petitions had issued the following directions:

“6. We have heard the learned counsels for the parties. As regards the request of the learned counsel for NVVNL, it is clarified that the petitions have not yet been admitted and the question of impleadment of distribution licensees shall be considered at the time of hearing of the petitions on admission. As regards the prayer of the learned counsel for GGEL and MGPL, it is clarified that the Commission would like to hear all the matters together.

7. After considering the request of MNRE, we allow time till 31.3.2015 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 PPAs and claim period of at least two months. The petitions shall be listed for hearing on 23.4.2015.

8. It is clarified that if the decision of MNRE is not received by 31.3.2015, the Commission will proceed to hear the petitions on admissibility.”

2. Ministry of New and Renewable Energy (MNRE) vide its letter dated 27.3.2015 addressed to the Secretary of the Commission has requested for extension of the date for consideration of the representations of the petitioners by three months i.e till 30.6.2015. The relevant extract of the said letter dated 27.3.2015 is as under:

“2. As per CERC’s Order, MNRE is expected to consider and dispose-off the representations of the petitioners by 31.03.2015.

3. MNRE has already taken action on this issue and the matter has been forwarded to Ministry of Power for concurrence of Secretary, Ministry of Power and subsequent approval of Hon`ble Minister. It is understood that it may take some time before this concurrence and approval is accorded.

4. Considering this position, it is requested that CERC may consider to extending the specified time limit of 31.03.2015, for consideration of the SPDs’ representations by the concerned authorities as mentioned in para 4.4 of the Guidelines, by a further period of 3 months i.e. till 30.06.2015.”

3. We have considered the request of MNRE. Accordingly, we allow time till 30.6.2015 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 PPAs and claim period of at least two months. The petitions shall be listed for hearing on 14.7.2015.

4. It is clarified that if the decision of MNRE is not received by 30.6.2015, the Commission will proceed to hear the petitions on admissibility.

Sd/-
(A.S. Bakshi)
Member

sd/-
(A. K. Singhal)
Member

sd/-
(Gireesh B. Pradhan)
Chairperson

