

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 156/MP/2014

Subject : Petition under section 79 of the Electricity Act, 2003 read with Article 13 of the Power Purchase Agreements dated 7.8.2008 executed between Uttar Haryana Bijli Vitran Nigam Ltd /Dakshin Haryana Bijli Vitran Nigam Ltd. and Adani Power Ltd.

Date of hearing : 21.1.2016

Coram : Shri Gireesh B. Pradhan, Chairperson
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : Adani Power Limited

Respondents : Uttar Haryana Bijilli Vitran Nigam Limited
Dakshin Haryana Bijili Nigam Limited

Parties present : Shri Sanjey Sen, Senior Advocate, APL
Shri Shashank Kumar, APL
Shri S. Kant, APL
Ms. Ranjitha Ramachandran, Advocate, Haryana Utilities

Record of Proceedings

Learned senior counsel for the petitioner submitted that the present petition the dispute is limited to capital cost of FDG, Operational and Maintenance cost, cess and increase in excise duty and requested to take up the matter for hearing on merit.

2. The Commission observed that since the judgment in the Appeal No. 98 of 2014 and Batch matters with regard to jurisdiction of the Commission in the matter has been reserved by Appellate Tribunal for Electricity, the captioned matter shall be listed for hearing after judgment is passed by Appellate Tribunal. The Commission directed the petitioner to furnish the following information/clarification, latest by 19.2.2016 with an advance copy to the respondent:

(b) Details of scheduled generation, actual generation at generator terminal, ex-bus generation, GCV of coal , weighted average price of coal and coal consumed in station (domestic and imported separately) from COD of each unit and afterwards during each financial year.

(b) Detailed computation of claims made during operating period under Haryana PPA.

(c) Financial year-wise and head-wise quantification of claims under various items from the date of effect of Change in Law or date of commercial operation of units, whichever is later.

(d) Copies of notification of the events of Change in Law to the Haryana Discoms.

3. The Commission directed that due date of filing the information, replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

4. The petition shall be listed for hearing on 17.3.2016.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**