

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 235/MP/2015

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 13 of the Power Purchase Agreements dated 2.2.2007 and 6.2.2007 executed by Adani Power Limited with Gujarat Urja Vikas Nigam Limited and the Power Purchase Agreements dated 7.8.2008 executed by Adani Power Limited with Uttar Haryana Bijli Vitran Nigam Limited/ Dakshin Haryana Bijli Vitran Nigam Limited.

Petitioner : Adani Power Limited

Respondents : Uttar Haryana Bijli Vitran Nigam Limited and others

Petition No. 24/MP/2014

Subject : Petition under Section 79 of the Electricity Act, 2003 to evolve a mechanism/adjust tariff on account of subsequent events rendering petitioners power plant commercially unviable due to unprecedented, unforeseeable and uncontrollable events including enactment of new coal pricing regulation by Indonesian Government and depreciation of Indian Rupee via-a-vis US Dollar and levy MAT as per amendment of section 115 JB of Income Tax Act, 1961.

Petitioner : Adani Power Limited

Respondents : Gujarat Urja Vikas Nigam Limited and others

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.

Petitioner : Adani Power Limited

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

Date of Hearing : 17.3.2016

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

Parties present : Shri Krishnan Venugopal, Senior Advocate, APL
Shri Malav Deliwala, APL
Shri Anand K. Ganesan, Advocate, GUVNL
Ms. Ranjitha Ramachandran, Advocate, Haryana Utilities
Ms. Anushree Bardhan, Advocate, Haryana Utilities
Shri G. Umapathy, Advocate, UHBVNL/DHBVNL
Shri Ravi Juneja, HPPC

Record of Proceedings

Learned counsels for GUVNL and Haryana Utilities submitted that 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 the Hon`ble Appellate Tribunal for Electricity and requested to list the captioned matter for hearing after judgment is passed by Appellate Tribunal.

2. Learned senior counsel for the petitioners objected on the adjournment of the petitions and submitted that issue in Petition No. 235/MP/2015 is grant of relief for change in Law event i.e. withdrawal/exemptions of Excise Duty, Customs Duty and Clean Energy Cess. He requested the Commission to grant ad interim relief till disposal of the petition.

3. The Commission observed that the petitioner`s request for interim relief was rejected vide ROP for the hearing dated 10.12.2015 and cannot be allowed without hearing the respondents.

4. The Commission directed the parties to complete pleadings in the petitions before next date of hearing.

5. The Commission directed to list the petitions on 13.4.2016.

By order of the Commission

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