

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 33/MP/2016

Subject : Petition under Section 79 (1) (a) of the Electricity Act, 2003 read with CERC (Terms and Conditions of Tariff) Regulations, 2014 for relief on account of „Change in Law“ affecting the Badarpur Thermal Power Station.

Date of hearing : **26.4.2016**

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

Petitioner : NTPC

Respondents : BRPL & 5 Others

Parties present : Shri Sitiesh Mukherjee, Advocate, NTPC
Shri Deep Rao, Advocate, NTPC
Ms. Akansha Tyagi, Advocate, NTPC
Shri Gautam Chawla, Advocate, NTPC
Shri A. Basu Roy, NTPC
Shri Prashant Chaturvedi, NTPC
Shri E.P. Rao, NTPC
Shri Nishant Gupta, NTPC

Record of Proceedings

During the hearing the representative of the petitioner submitted that the petition has been filed for declaration that the change in the emission norms by DPCC in the consent order dated 2.1.2014 is a 'Change in Law' and also direct the respondents to make the payment of fixed charges from 31.12.2015 for all 4 units limiting the same as operationalised.

2. The Commission admitted the petition and directed issuance of notice to the respondents.

3. The Commission directed the petitioner to serve copy of the petition on the respondents by 10.5.2016. The respondents are directed to file replies, on affidavit, by 18.5.2016 with advance copy to the petitioner, who may file its rejoinder, if any, on or before 25.5.2016. No extension of time shall be granted for any reason whatsoever.

4. Matter shall be listed for hearing on 16.6.2016

By Order of the Commission

-Sd/-
(T. Rout)
Chief (Legal)