

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 155/MP/2012

Sub: Application under Section 79 of the Electricity Act, 2003 evolving a mechanism for Regulating including changing and/or revising tariff on account of frustration and/or of occurrence of force majeure (Article 12) and/or change in law (Article 13) events under the PPAs due to change in circumstances for the allotment of domestic coal by GOI-CIL and enactment of new coal pricing Regulation by Indonesian Government.

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

Petitioner : Adani Power Limited

Respondents : Uttar Haryana Bijli Vitran Nigam Limited and others.

Supplementary Record of Proceedings

The Commission in the Record of Proceeding for the hearing dated 9.6.2016 had observed that the information required from Adani Power Limited would be asked through a separate Record of Proceedings. Accordingly, Adani Power Limited is directed to file the following information, on affidavit, by 22.7.2016 with an advance copy to the respondents, who may file their responses, on or before, 5.8.2016:

(a) All FSAs/CSAs entered into by Adani Power Limited with the coal mining companies in Indonesia for supply of power from Mundra Power Project. If intermediary companies are involved, then the copies of the FSAs/CSAs between Adani Power Limited and the intermediary companies and back to back FSA/CSAs between intermediary companies and the coal companies in Indonesia.

(b) Bid parameters assumed in the bid including escalation factors.

(c) Guaranteed Design Parameters such as Heat Rate (Turbine Cycle Heat Rate and Boiler Efficiency), Auxiliary Energy consumption alongwith Heat Balance Diagram, any variation in the design parameters from the design parameters contended in the bid.

(d) FSAs/CSAs with Mahanadi Coalfields or any other subsidiary of CIL for supply of power from Mundra Power Project.

- (e) Month wise declared capacity, scheduled generation and actual generation.
- (f) Month wise impact of Indonesian Regulation from COD till date.
- (g) Impact on station parameter due to use of low grade coal for mitigation purpose. Possibility of blending to be explored for mitigation purpose.
- (h) Submit the applicable rates of the taxes/duties/royalty ex-mines in Indonesia and actual taxes/duties/royalty paid alongwith breakup.
- (i) HBA price index applicable on month to month basis on the quantity of imported coal.
- (j) Impact on the servicing of debt obligation, i.e. constraint.
- (k) Ratios of imported coal built in to the Bid.
- (l) Information as per Formats I, II, III and IV annexed to ROP.
- (m) Copy of Price Stores Ledger of Mundra Power Project of Adani Power Limited for the following period for Imported & Domestic coal: -
- | | | | |
|------|-------------------------------|---|----------------------------------|
| i) | 1 st contract year | - | First month of the contract year |
| ii) | 2 nd contract year | - | Month of April |
| iii) | 3 rd contract year | - | Month of September |
| iv) | 4 th contract year | - | Month of December |
- (n) Bill of lading and Bill of entry for the months mentioned above.
- (o) The copy of the Shareholder Agreement for investment in mining companies in Indonesia by Adani Power Ltd. / Adani Enterprise Ltd. or its associates or subsidiary alongwith their audited Balance Sheet and Profit & Loss Account on standalone basis for the years in which import of coal has taken place.

By order of the Commission

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**(T. Rout)
Chief (Legal)**

FORMAT II

**ACTUAL COAL PRICE PAID BY THE DEVELOPER FOR EACH CONSIGNMENT
(FOR RESPECTIVE PPA)**

Sr. No	Consignment No	Date of starting from loading port	Name of Consignee/ loading port / Country	Date of reaching the unloading port	Name of Receiver / receiving port / Country	Vessel Name & size	Corresponding bill of entry Date & Number	GCV of coal at the loading port	GCV of coal at the unloading port
1	2	3	4	5	6	7	8	9	
	Note:	1. Bill of lading and corresponding bill of entry for the months specified in para (m) may be submitted Along with the details...							
		2. Proof of remittances to the coal supply company and mining companies for above bill of laden should also be submitted.							
		2. Certificate in support of GCV at loading and unloading, as the case may be, is to be furnished.							

FORMAT III**RECONCILIATION OF THE COAL USED DURING MONTH (SOURCE WISE)
(FOR RESPECTIVE PPA)**

Sr. No	Month	Source of Coal		Opening Stock of Coal (MT)	Coal Received During Month (MT)	Coal Consumed During Month (MT)	Closing stock of Coal
							(MT)
1	(Month)	Source 1	GCV				
			Price				
		Source 2	GCV				
			Price				
		Source 3	GCV				
			Price				
		Source 4	GCV				
			Price				
2	(Month)	Source 1	GCV				
			Price				
		Source 2	GCV				
			Price				
		Source 3	GCV				
			Price				
		Source 4	GCV				
			Price				
3	(Month)	Source 1	GCV				
			Price				

Sr. No	Month	Source of Coal		Opening Stock of Coal (MT)	Coal Received During Month (MT)	Coal Consumed During Month (MT)	Closing stock of Coal
							(MT)
		Source 2	GCV				
			Price				
		Source 3	GCV				
			Price				
		Source 4	GCV				
			Price				
...						
	Annual Average	Source 1	GCV				
			Price				
		Source 2	GCV				
			Price				
		Source 3	GCV				
			Price				
		Source 4	GCV				
			Price				

