

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 119/MP/2017

Subject : Petition under Section 79 of the Electricity Act, 2003 and in the matter of the Power Purchase Agreement dated 8.1.2011 (“PPA”) entered into between NTPC Vidyut Vyapar Nigam Limited and Rajasthan Sun Technique Energy Private Limited and in the matter of extension of Scheduled Commissioning Date (SCoD).

Date of hearing : 8.8 .2017

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

Petitioner : Rajasthan Sun Technique Energy (P) Ltd. (RSTEPL)

Respondents : NTPC Vidyut Vyapar Nigam Ltd. and Others

Parties present : Shri Buddy A. Ranganadhan, Advocate, RSTEPL
Shri Hasan Murtaza, Advocate, RSTEPL
Ms. Malvika Prasad, Advocate, RSTEPL
Ms. Anushree Bardhan, Advocate, NVVNL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed under Section 79 (1)(f) of Electricity Act, 2003 holding that the Petitioner is entitled for extension of SCoD of 255 days i.e. from 7.3.2014 to 17.11.2014 due to reason beyond its control. Learned counsel for the Petitioner further submitted as under:

(a) The Petitioner is setting up a 100 MW Solar Thermal Power Plant at village Dhursar, Tehsil Jaisalmer, Rajasthan and proposed to develop the project using Compact Linear Fresnel Reflective Technology (CLFR).

(b) The Petitioner approached the Government of Rajasthan for allotment and supply of 2.5 cusecs of water which was to be supplied by Public Health Engineering Department (PHED). The work entailed a water pipeline of 74 Km from IGP canal to Billiya Head Works. However, the PHED contractor did not complete the 74 kms pipeline and created uncertainty in schedule. Therefore, the Petitioner is entitled for extension in SCOD of 255 days i.e. from 7.3.2014 to 17.11.2014.

2. After hearing the learned counsels for the Petitioner and NVVNL, the Commission admitted the Petition and directed to issue notice to the Respondents.

3. Learned counsel for NVVNL accepted the notice on behalf of the NVVNL.

4. The Commission directed the Petitioner to serve the copy of the Petition on the Respondents immediately, if not served already. The Commission directed the Respondents to file their replies, by 31.8.2017, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 22.9.2017. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

5. The Petition shall be listed for hearing on 28.9.2017.

By order of the Commission

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