

**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 : 11.1.2018

Coram : 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 Hasan Murtaza, Advocate, RSTEPL
Shri M.G. Ramachandran, Advocate, NVVNL
Ms. Ranjitha Ramachandran, Advocate, NVVNL
Ms. Anushree Bardhan, Advocate, NVVNL
Shri Dharmendra Singh, 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 for seeking extension of SCoD of 255 days i.e. from 7.3.2014 to 17.11.2014 due to *Force Majeure* events. Learned counsel for the Petitioner further submitted that 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). However, the PHED contractor did not complete the 74 kms pipeline and created uncertainty in schedule.

2. Learned counsel for the Petitioner further submitted that the Commission vide order dated 11.10.2017 in Petition No. 304/MP/2013 had observed that Godavari Green Energy Limited, MEIL Green Power Limited and RSTEPL have commissioned the projects despite facing challenges and requested the Ministry of New and Renewable Energy (MNRE) to consider their cases for extension of SCoD on the basis of their representations. Learned counsel for the Petitioner further submitted that despite several representations to the MNRE, no response has been received from MNRE till date.

3. Learned counsel for NVVNL requested for three weeks time to file the reply to the Petition.

4. After hearing the learned counsels for the parties, the Commission directed the Respondents to file their replies, by 12.2.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 28.2.2018. 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 15.3.2018.

By order of the Commission

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