

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 165/MP/2019

Subject : Petition under Section 79 (1)(b) and 79(1)(f) of the Electricity Act, 2003 for claiming carrying cost/ interest on account of event pertaining to Change in Law allowed by the Commission vide order dated 18.4.2018 passed in Petition No. 18/MP/2017 read with the terms of Power Purchase Agreements dated 13.6.2013 executed between the Respondent No. 1, Kerala State Electricity Board and the Respondent No. 2, Power Trading Corporation and back to back Power Purchase Agreement dated 13.6.2013 executed between the Petitioner and the Respondent No. 2, Power Trading Corporation.

Petitioner : Bharat Aluminium Company Limited

Respondents : Kerala State Electricity Board and Ors.

Petition No. 174/MP/2019

Subject : Petition under Section 79 (1)(b), 79(1)(f) and 79(1)(k) of the Electricity Act, 2003 for claiming carrying cost/ interest on account of event pertaining to Change in Law allowed by the Commission vide order dated 27.4.2018 passed in Petition No. 126/MP/2016 read with the terms of Power Purchase Agreement dated 23.8.2013 executed between the Petitioner and the Respondent No. 1, Tamil Nadu Generation and Distribution Corporation Limited.

Petitioner : Bharat Aluminium Company Limited

Respondents : Tamil Nadu Generation and Distribution Corp. Ltd. and Anr.

Date of Hearing : 22.8.2019

Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I. S. Jha, Member

Parties Present : Shri Hemant Singh, Advocate, BALCO
Shri Nishant Kumar, Advocate, BALCO
Ms. Soumya Singh, Advocate, BALCO
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri Mukund, Advocate, KSEB
Shri P. Unny, Advocate, KSEB
Ms. Sheela Daniel, KSEB



Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petitions have been filed for *inter alia*, grant of carrying cost from the effective date of Change in Law events till the date of orders of the Commission allowing the Change in Law events, viz. order dated 18.4.2018 in Petition No. 18/MP/2017 and order dated 27.4.2018 in Petition No. 126/MP/2016. Learned counsel requested the Commission to issue notice to the Respondents.

2. Learned counsels for the Respondents, KSEB and TANGEDCO accepted the notice and requested for time to file reply to Petition.

3. After hearing the learned counsels for the Petitioner and the Respondents, the Commission admitted the Petitions and directed to issue notice to the Respondents.

4. The Commission directed the Petitioner to serve copy of the Petitions on the Respondents, if not served already. The Respondents were directed to file their replies by 16.9.2019, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 30.9.2019. The Commission directed that the due date of filing of replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

5. The Petitions shall be listed for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

sd/-
(T.D.Pant)
Deputy Chief (Law)

