

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 346/MP/2018**

Subject : Petition under Section 79 (1) (b) of the Electricity Act, 2003 read with Regulation 14 (3)(ii) of the CERC tariff Regulations, 2014, Article 1.1 (Change in Law) and 6.12 of the Power Purchase Agreements (PPAs) seeking regulatory certainty with respect to treatment of such cost for mandatory installation of additional systems in compliance with the Environment (Protection) Amendment Rules, 2015 issued by the Ministry of Environment, Forest and Climate Change dated 7.12.2015 for thermal power stations.

Date of Hearing : 8.1.2019

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

Petitioner : Udupi Power Corporation Limited

Respondents : Power Company of Karnataka Limited and Others

Parties present : Shri Nitish Gupta, Advocate, UPCL  
Shri Ishaan Mukherjee, Advocate, UPCL

**Record of Proceeding**

Learned counsel for the Petitioner submitted that the present Petition has been filed for seeking declaration that the notification dated 7.12.2015 issued by the Ministry of Environment, Forest and Climate Change is change in law event under the provisions of the respective PPAs. Learned counsel requested the Commission to issue notice to the Respondents.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notices to the respondents.

3. The Commission directed the respondents to file their replies by 31.1.2019, with an advance copy to the Petitioner, who may file its rejoinders, if any, by 15.2.2019. 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.

4. The Petition shall be listed for hearing in due course for which separate notices will be issued.

**By order of the Commission**

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