

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 373/MP/2019

Subject : Petition under section 79 (1)(f) of the Electricity Act 2003 before the Central Electricity Regulatory Commission for (i) approval of "Change in Law" and (ii) seeking an appropriate mechanism for grant of an appropriate adjustment/ compensation to offset financial/ commercial impact of change in law events on account of imposition of safeguard duty on solar cells/modules in terms of Article 12 read with Article 16.3.1 of the Power Purchase Agreements dated 27.4.2018 between SB Energy Four Private Limited and Solar Energy Corporation of India Limited

Petitioner : SB Energy Four Private Limited

Respondents : Solar Energy Corporation of India Limited and Others

Date of hearing : 25.11.2019

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

Parties present : Shri Sujit Ghosh, Advocate, SB EFPL
Ms. Mannat Waraich, Advocate, SB EFPL
Shri Rishabh Prasad, Advocate, SB EFPL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed inter-alia seeking declaration that the imposition of safeguard duty is change in law events in terms of the PPA(s) executed between the Petitioner and SECI. Learned counsel requested to issue notice to the Respondents.

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

3. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately if not served already. The Respondents were directed to file their replies, by 10.12.2019, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 20.12.2019. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with.

4. The Petition 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)