

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 377/MP/2019**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 10 of the Power Purchase Agreement dated 19.8.2013 entered into between the Petitioner and the Respondents, seeking approval of the cost to be incurred by the Petitioner on account of Change in Law, for installation/retrofit of 'Electrostatic Precipitators' (ESP), installation of Flue Gas Desulphurisation (FGD), installation of low NOx burners, providing Over Fire Air (OFA) and any other measures for compliance of the Notification dated 7.12.2015 issued by the Ministry of Environment, Forest and Climate Change, Government of India in respect of Thermal Power Plants installed/commissioned after 1.3.2003 and before 31.12.2016.

Petitioner : D. B. Power Limited

Respondents : Tamil Nadu Generation and Distribution Corporation Limited & Ors.

Date of Hearing : 26.11.2019

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

Parties present : Shri Deepak Khurana, Advocate, D.B. Power  
Shri T. Anand, Advocate, D.B. Power

**Record of Proceedings**

Learned counsel for the Petitioner, D.B. Power Limited, submitted that the present Petition has been filed, *inter-alia*, seeking approval of expenditure to be incurred by the Petitioner on account of Change in Law for installation/retrofit of Electrostatic Precipitators (ESP), installation of Flue Gas Desulphurisation (FGD), installation of low NOx burners, providing Over Fire Air (OFA) and any other measures for compliance of the Notification dated 7.12.2015 issued by the Ministry of Environment, Forests and Climate Change, Government of India in respect of Thermal Power Plants installed/commissioned after 1.1.2003 and before 31.12.2016. Learned counsel further submitted that the Petitioner has also filed a similar Petition being Petition No. 366/MP/2019 in respect of the PPA entered into with Rajasthan Discoms and requested to admit the same and to list both the Petitions together.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the present Petition and Petition No. 366/MP/2019 and directed to issue notice to the Respondents in both Petitions.



3. 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 16.12.2019 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 31.12.2019. The Commission directed that due date of filing the reply and/or rejoinder should be strictly complied with.

4. The Petition shall be listed for hearing along with Petition No. 366/MP/2019 in due course for which notice will be issued separately.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Deputy Chief (Legal)**

