

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 268/MP/2020**

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 seeking reimbursement of amount incurred towards taxes and duties and arranging open access for the purpose of supply of contracted capacity of 100 MW from Noida Power Company Limited/PTC in terms of APP dated 6.4.2018 read with PPA executed on the same date.

Petitioner : SKS Power Generation (Chhattisgarh) Limited (SPGCL)

Respondents : Noida Power Company Limited and Anr.

Date of Hearing : 30.7.2020

Coram : Shri I. S. Jha, Member  
Shri Arun Goyal, Member

Parties present : Shri Sajan Poovayya, Sr. Advocate, SPGCL  
Shri Hemant Singh, Advocate, SPGCL  
Shri Chetan Garg, Advocate, SPGCL

**Record of Proceedings**

The matter was heard through video conferencing.

2. Learned senior counsel for the Petitioner submitted that the instant Petition has been filed seeking direction to the Respondent No.1, Noida Power Company Limited to reimburse to the Petitioner amount due towards (i) taxes, levies and electricity duty as per Article 11.8.2 of the Agreement of Procurement of Power (APP), and (ii) transmission charges for 108 MW Medium Term Open Access, in terms of Articles 5.5, 5.6.1 and 5.6.2 of the APP, for the contract period from 1<sup>st</sup> December, 2018 to 31<sup>st</sup> March, 2020. Learned senior counsel for the Petitioner requested to issue notice to the Respondents.

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

4. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately, if not already served. The Respondents were directed to file their reply, if any, by 21.8.2020 with advance copy to the Petitioner, who may file its rejoinder, if any, by 11.9.2020. The due date of filing of reply and rejoinder should be strictly complied with.



5. The Petition shall be listed for hearing in due course for which separate notice shall be issued.

**By order of the Commission**

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

