

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 598/MP/2020**

Subject : Petition under Section 79(1)(b) and Section 79(1)(f) of the Electricity Act, 2003 for claiming compensation on account of events pertaining to change in law as per Article 34 of the Power Supply Agreement dated 26.12.2014 read with Article 39.1 of the Power Supply Agreement.

Date of Hearing : 11.8.2020

Coram : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member

Petitioner : Bharat Aluminium Company Limited (BALCO)

Respondents : Kerala State Electricity Board (KSEB) and 2 Ors.

Parties present : Shri Nishant, Advocate, BALCO  
Shri Akash, Advocate, BALCO  
Shri Md. Zeyauddin, BALCO  
Shri Gaurav Saini, BALCO  
Shri Animesh Kumar, BALCO

**Record of Proceedings**

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner submitted that the instant Petition has been filed seeking compensation along with carrying cost on account of occurrence of Change in Law events after the cut-off date i.e..14.11.2014, namely, (i) amendment in Environment (Protection) Rules, (ii) additional cost towards fly ash transportation, and (iii) increase in consent fee. Learned counsel further submitted that the above Change in Law events are covered by various orders of the Commission. Learned counsel requested to issue notice to the Respondents.

3. After hearing the learned 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 by 30.8.2020 with advance copy to the Petitioner who may file its rejoinder, if any, by 20.9.2020. 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 will be issued.

**By order of the Commission**

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