

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 63/MP/2020

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 for extension of Scheduled Delivery Date on account of force majeure events falling within the scope of Article(s) 3.1, 3.4.3, 4.7 and 9 of the Power Purchase Agreement dated 23.8.2013 read with the Addendum dated 10.12.2013 executed between the Petitioner and the Respondent No.1/TANGEDCO.

Petitioner : Bharat Aluminum Company Limited (BALCO)

Respondents : Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) and Ors.

Date of Hearing : 25.2.2020

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

Parties present : Shri Hemant Singh, Advocate, BALCO
Shri Lakshyajit Singh, Advocate, BALCO
Shri Chetan Garg, Advocate, BALCO

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking extension of Scheduled Delivery Date due to occurrence of Force Majeure events as enumerated in Articles 3.4.3, 4.7 and 9.3 of the Power Purchase Agreement dated 23.8.2013 read with Addendum dated 10.12.2013 executed between the Petitioner and the Respondent No.1, TANGEDCO. Learned counsel for the Petitioner 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 already served. The Respondents were directed to file their replies by 16.3.2020 with advance copy to the Petitioner, who may file its rejoinder, if any, by 31.3.2020. The Commission directed that due date of filing of reply and rejoinder should be strictly complied with.

4. The Petition shall be listed for hearing in due course for which a separate notice shall be issued to the parties.

By order of the Commission
Sd/-
(T.D. Pant)
Deputy Chief (Legal)

