

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 71/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Power Purchase Agreement dated 7.8.2007 executed between the Sasan Power Limited and the Procurers for compensation and restoration of project economics due to unprecedented, unforeseen and uncontrollable depreciation of the INR vis-à-vis USD pursuant to Appellate Tribunal for Electricity's judgment dated 18.1.2019 in Appeal No.202 of 2016.

Date of Hearing : 20.8.2020

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

Petitioner : Sasan Power Limited (SPL)

Respondents : MP Power Management Company Limited (MPPMCL) and 13 Ors.

Parties present : Shri Amit Kapur, Advocate, SPL
Shri Vishrov Mukerjee, Advocate, SPL
Shri Rohit Venkat, Advocate, SPL
Shri Janmali Manikala, Advocate, SPL
Shri M. G. Ramachandran, Sr. Advocate, Rajasthan and Haryana Utilities and PSPCL
Ms. Poorva Saigal, Advocate, Rajasthan and Haryana Utilities and PSPCL
Shri G. Umapathy, Advocate, MPPMCL
Ms. Ranjana Roy Gawai, Advocate, TPDDL
Ms. Vasudha Sen, Advocate, TPDDL
Shri Anurag Bansal, TPDDL
Ms. Shefali Sobti, TPDDL
Shri Gaurav Gupta, Haryana Utilities
Shri Rajiv Srivastava, Advocate, UPPCL

Record of Proceedings

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner and the learned senior counsel for the Respondents, Rajasthan Utilities, Haryana Power Purchase Centre (HPPC) and Punjab



State Power Corporation Limited (PSPCL) advanced extensive arguments in support of their contentions by relying upon the orders/ decisions of this Commission and Hon'ble Supreme Court, various clauses of Bidding Guidelines and Bid Documents and reiterated the submissions made in their note on arguments.

3. Learned counsels for the Respondents, Madhya Pradesh Power Management Company Limited (MPPMCL) and Uttar Pradesh Power Corporation Limited (UPPCL) adopted the arguments made by the learned senior counsel for the Respondents and reiterated the submissions made in their respective pleadings. Learned counsel for the Respondent, Tata Power Delhi Distribution Limited (TPDDL) also adopted the arguments made by the learned senior counsel for the Respondents.

4. Based on the request of the learned counsels for the parties, the Commission permitted the Petitioner and the Respondents to file their respective written submissions, if any, by 30.8.2020 with copy to each other.

5. Subject to the above, the Commission reserved order in the matter.

By order of the Commission

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

