

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 117/MP/2023

Subject : Petition under Sections 79(1)(b) and (f) read with sections 11, 29, 142, 146 and other applicable provisions of the Electricity Act, 2003 for the adjudication on matters relating to the obligations of the Tata Power Company Limited (Generator) to supply electricity in terms of the directions issued by the Ministry of Power, Government of India under section 11 of the Electricity Act, 2003 dated 20.2.2023 read with the PPA dated 22.4.2007.

Petitioner : Gujarat Urja Vikas Nigam Limited

Respondents : Tata Power Company Limited and 9 others

Date of Hearing: **20.4.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present: Shri M.G. Ramachandran, Senior Advocate, GUVNL
Ms. Swapna Seshadri, Advocate, GUVNL
Ms. Srishti Khidaria, Advocate, GUVNL
Shri Sanjay Sen, Senior Advocate, TPCL
Ms. Mandakini Ghosh, Advocate, TPCL
Ms. Shubhi Sharma, Advocate, TPCL
Shri Deepak Thakur, Advocate, TPCL
Shri Neelkandam Rahate, Advocate, TPCL
Shri G. Saikumar, Advocate, MSEDCL
Ms. Nikita Choukse, Advocate, MSEDCL

Record of Proceedings

At the outset, the learned senior counsel for the Respondent TPCL submitted that out of total 5 units, Unit-I was operationalized on 16.4.2023, and Unit-II will be operational on 20.4.2023. He further submitted that the Petitioner is making efforts to start Unit-III and Unit-IV by 22.4.2023 and 24.4.2023 respectively and Unit-V is facing outage due to technical issues with the generator transformer, which was also discussed in the meeting held with CEA on 19.4.2023. While pointing out that the minutes of the CEA meeting has not yet been issued, the learned Senior counsel prayed that the matter may be taken up, after receipt of the same. The learned Senior counsel also raised objections on the 'maintainability' of the petition.

2. The learned Senior counsel for the Petitioner, opposed the submissions of the Respondent TPCL and pointed that the Respondent may be directed to file



the details regarding the operationalization of the units, on affidavit. He also submitted that the Respondent, TPCL is under an obligation, to generate and supply power to the Petitioner. The learned Senior counsel, however, requested that the Respondent TPCL may be directed to file their reply submissions, for the Petitioner to respond.

3. After hearing the learned counsel for the parties, the Commission directed the Respondent TPCL to file its reply on 'maintainability' as well as on 'merits' by **22.5.2023** after serving copy to the Petitioner, who may, file its rejoinder, if any, on or before **15.6.2023**. The Commission also directed the Respondent TPCL to file minutes of the CEA meeting held on 19.4.2023 along with their reply by 22.5.2023.

4. The Petition shall be listed for hearing on **19.7.2023**.

By order of the Commission

**Sd/-
(B. Sreekumar)
Joint Chief (Law)**

