

# CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

## Petition No. 124/MP/2022

- Subject** : Petition under Section 79(1)(c) read with Section 79(1)(f) of the Electricity Act, 2003 for seeking a direction against Respondent No. 1 to extend the start date of the Long-Term Access, as sought for by Petitioner No. 1 vide its letter dated 10.01.2022, and further restrain Respondent No. 1 from taking any coercive and precipitative measures, including but not limited to levying any penalty/ charges etc. for non- operationalisation of 150 MW out of the total 350 MW, on the premise of the start date of LTA being taken as 25.02.2022, till the final disposal of the present proceedings.
- Date of Hearing** : 9.10.2023
- Coram** : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner** : Avaada Energy Private Limited (AEPL) and Anr.
- Respondents** : Central Transmission Utility of India Limited (CTUIL) and Anr.
- Parties present** : Shri Bhaskar, Advocate, APEL & ASEPL  
Shri Vineet Tayal, Advocate, APEL & ASEPL  
Ms. Suparna Srivastava, Advocate, CTUIL  
Shri Tushar Mathur, Advocate, CTUIL

## Record of Proceedings

The instant petition has been filed by Avaada Energy Private Limited (AEPL) and Anr, inter-alia, seeking direction against CTUIL to extend the start date of Long-Term Access (LTA) as sought by Petitioner No. 1 vide letter dated 10.1.2022 and further to restrain CTUIL from taking any coercive and precipitative measures, including but not limited to levying any penalty/charges, etc. for non-operationalisation of 150 MW out of 350 MW, on the premise of the start date of LTA being taken as 25.2.2022 till the final disposal of the present proceedings.

2. Learned counsel for the Petitioner sought some more time to file a rejoinder in the matter.



3. Learned counsel for CTUIL submitted that the Petitioner has cleared all the bills and no amount is outstanding.
4. The Commission observed that the Petitioner sought time to file a rejoinder to the CTUIL's reply even on the last date of hearing, i.e. 18.8.2023, however, granted one last opportunity to file the rejoinder, on an affidavit by 3.11.2023, with an advance copy to the Respondents.
5. The Commission further directed the Petitioner to clarify, by 3.11.2023, the reasons for seeking an extension of LTA operationalisation up to 31.5.2022, when the full 350 MW capacity was put under commercial operation on 7.4.2022 and MERC had also extended SCOD to 8.4.2022.
6. The Commission also directed the Petitioner to file the rejoinder within the specified time and observed that no further extension of time would be granted.
7. The petition will be listed for a final hearing on 10.1.2024.

**By order of the Commission**

sd/-

(V. Sreenivas)  
Joint Chief (Law)

