

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.161/MP/2023

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Articles 11 and 12 of the Transmission Service Agreement dated 23.10.2019 executed between Lakadia Banaskantha Transco Limited and Powerica Limited seeking extension of SCOD due to various events of Force Majeure & Change in Law and compensation/ appropriate relief to offset the adverse effect of the Force Majeure and Change in Law events.

Date of Hearing : **29.11.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Lakadia Banaskantha Transco Limited (LBTL)

Respondents : Powerica Limited and 2 Ors.

Parties Present : Shri Amit Kapur, Advocate, LBTL
Shri Aditya Dubey, Advocate, LBTL
Shri Afak Pothiwala, LBTL
Shri Venkatesh, Advocate, Powerica
Shri Ashutosh Srivastava, Advocate, Powerica
Shri Nihal Bhardwaj, Advocate, Powerica
Shri Swapnil Verma, CTUIL
Shri Ranjeet Rajput, CTUIL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed, *inter alia*, seeking an extension of the Scheduled Commercial Operation Date due to various events of Force Majeure and Change in Law and compensation/ appropriate relief to offset the adverse effect of Force Majeure and Change in Law events.

2. Keeping in view that there is only one Long-Term Transmission Customer to the TSA i.e. Powerica Ltd., a Wind Power Developer and the increase in the transmission tariff, upon the grant of Change in Law relief, if any, would ultimately passed on to the beneficiaries of the Western Region, the Commission deemed it appropriate to also hear such Western Region beneficiaries in the present case.

3. Considering the above, the Commission ordered as under:

(a) The Petitioner to implead WRSS21A Transco Limited, WRLDC and all the beneficiaries of the Western Region as parties to the Petition and to file a revised memo of parties within a week.

(b) The Petitioner to serve a copy of the Petition to these impleaded Respondents immediately. The Respondents to file their replies to the Petition, if



any, within three weeks with a copy to the Petitioner, who may file its rejoinder within two weeks thereafter.

(c) The Petitioner to submit the following information on an affidavit within two weeks:

(i) A copy of the RLDC “No Load” Certificate in respect of all the elements of the transmission system covered in the instant petition.

(ii) A copy of the RLDC Certificate “On Load” in respect of all the elements of the transmission system covered in the instant petition.

(iii) A copy of force majeure notice dated 2.7.2022.

4. The Petition will be listed for the hearing on **7.2.2024**.

By order of the Commission

**SD/-
(T.D. Pant)
Joint Chief (Law)**