

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 203/MP/2023

- Subject : Petition seeking directions to PSPCL to pay the balance of Principal amount of Rs. 4,50,78,499/- out of total Rs 22,92,58,545/- for the period of April 2020 & May 2020 (during COVID period) in terms of Section 79(1)(f) of the Electricity Act, 2003 read with Article 6.1.6 of the Power Purchase Agreement dated 24.09.2008 and applicable LPSC till the date of realization.
- Petitioner : PPCL
- Respondent : PSPCL
- Date of Hearing : **20.9.2023**
- Coram : Shri Jishnu Barua, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member
- Parties Present : Shri Anushasit, Advocate, PPCL
Shri Abhishek Rohilla, PPCL
Shri Surendra Kumar, PPCL

Record of Proceedings

During the hearing, the learned counsel for the Petitioner submitted that the present Petition has been filed seeking adjudication of the disputes between the parties, with regard to the non-payment of energy bills by the Respondent, for the months of April 2020 and May 2020, due to force majeure event (COVID). He further submitted that out of the total amount of Rs.22 crore (approx) payable, the Respondent had initially paid Rs 18.46 crore and subsequent to the filing of this petition, the Respondent has made the balance payment of Rs 4.48 crore to Petitioner. The learned counsel pointed out that though the Respondent has paid the Principal amounts, as stated above, it is liable to pay the late payment surcharge to the Petitioner, for such delayed payments.

2. After hearing the learned counsel for the Petitioner, the Commission directed as under:

- a. Admit and Issue notice;
- b. The Respondent shall file its reply on or before **20.10.2023**, after serving copy on the Petitioner, who may, file its rejoinder, if any, by **10.11.2023**. The parties shall complete pleadings within the due dates mentioned and no extension of time shall be granted.



3. The Petition shall be listed for hearing on **13.12.2023**.

By order of the Commission

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

