

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

Shri Gireesh B. Pradhan, Chairperson

Shri M. Deena Dayalan, Member

Shri A.K. Singhal, Member

DATE OF HEARING: 20.5.2014

Petition No. 79/MP/2013

Sub : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Articles 13 and 17 of the Power Purchase Agreement dated 07.08.2007 executed between the Distribution Companies in the State of Haryana and PTC India Limited and the back to back PPA dated 12.3.2009 entered into between GMR Energy Limited and PTC Indian Limited for compensation due to change in law impacting revenues and costs during the operating period.

Petitioner : GMR-Kamlanga Energy Limited, Bangalore

Respondent : Dakshin Haryana Bijili Vitran Nigam Limited

Petition No. 81/MP/2013

Sub: Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Articles 13 and 17 of the Power Purchase Agreement dated 07.08.2007 executed between the Distribution Companies in the State of Haryana and PTC India Limited and the back to back PPA dated 12.3.2009 entered into between GMR Energy Limited and PTC Indian Limited for compensation due to change in law impacting revenues and costs during the operating period.

Petitioner : GMR-Kamlanga Energy Limited, Bangalore

Respondent : Dakshin Haryana Bijili Vitran Nigam Limited

Petition No. 77/GT/2013

Sub: Petition under Section 62 and Section 79 (1) (b) of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009 seeking determination of tariff in respect of 262.5 MW gross capacity sale form Kamalanga Thermal Power Plant of GMR- Kamalanga Energy Limited (GKEL) to GRIDCO acting as nominee of government of Odisha for procuring power for

the Odisha Distribution Companies from the period commencing from 1.4.2013 to 31.3.2014.

Petitioner : GMR-Kamlanga Energy Limited, Bangalore

Respondents : GRIDCO and others

Parties present : Shri Amit Kapoor, Advocate, GMR
Shri Vishrov Mukerjee, Advocate, GMR
Shri G. Umapathy, Advocate, DHBVNL
Shri R. Mekhala, Advocate, DHBVNL
Shri R.B. Sharma, Advocate, GRIDCO
Shri Sugesh Guru, Advocate, PTC

Record of Proceedings

Learned counsel for the Dhakshin Haryana Bijili Vitran Nigam Limited (DHVBNL) and Uttar Haryana Bijili Vitran Nigam Limited (UHBVNL) referred to the order of ATE dated 16.5.2014 in I.A. No. 143 of 2014 in Appeal No. 44 of 2014 filed by DHVBNL and UHBVNL and submitted that ATE in the said IA has reserved its order. Learned counsel requested the Commission to adjourn the matter till first week of June by which time decision of ATE on the issue of jurisdiction of CERC to deal with the tariff of the petitioner's generating station is likely to be available.

2. Learned counsel for the petitioners objected to the prayer for adjournment and submitted that since no stay has been granted by ATE, the matter should not be adjourned.

3. The Commission, with the consent of learned counsels for the parties, directed to list the petitions for hearing on 3.6.2014.

By order of the Commission
Sd/-
(T. Rout)
Chief (Law)