

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Coram:
Shri Gireesh B. Pradhan, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member**

DATE OF HEARING: 14.7.2015

Petition No. 304/MP/2013

Sub: Petition for adjustment of generation tariff and other consequential reliefs.

Petitioner : Godavari Green Energy Limited
Respondents : NTPC Vidyut Vyapar Nigam Ltd. and
Union of India, Ministry of New and Renewable Energy

Petition No. 312/MP/2013

Sub: Petition under Section 79 of the Electricity Act, 2003 for grant of compensatory tariff on account of depreciation in rupee.

Petitioner : Rajasthan Sun Technique Energy Private Limited
Respondents : NTPC Vidyut Vyapar Nigam Ltd.
Union of India, Ministry of New and Renewable Energy

Petition No. 313/MP/2013

Sub: Application for stay.

Petitioner : Rajasthan Sun Technique Energy Private Limited
Respondents : NTPC Vidyut Vyapar Nigam Ltd.
Union of India, Ministry of New and Renewable Energy

Petition No. 327/MP/2013

Sub: For adjustment of tariff, extension of time for execution of project and other consequential reliefs.

Petitioner : Diwakar Solar Projects Limited, Hyderabad

Respondents : NTPC Vidyut Vyapar Nigam Ltd. and
Union of India, Ministry of New and Renewable Energy

Petition No. 14/MP/2014

Sub: Petition for adjustment of tariff, extension of time for execution of project and other consequential relief.

Petitioner : KVK Energy Venture Private Limited

Respondents : NTPC Vidyut Vyapar Nigam Ltd.
Union of India, Ministry of New and Renewable Energy

Petition No. 16/MP/2014

Sub: Petition under Section 79 (1) (b) read with Section 79 (1) (f) of the Electricity Act, 2003 for adjustment of capacity utilization factor, extension of time for execution of project and other consequential relief.

Petitioner : MEIL Green Power Limited

Respondents : NTPC Vidyut Vyapar Nigam Ltd.
Union of India, Ministry of New and Renewable Energy

Petition No. 41/MP/2014

Sub: Petition for adjustment of generation tariff and other consequential reliefs.

Petitioner : Aurum Renewable Energy Limited

Vs

Respondent : NTPC Vidyut Vyapar Nigam Ltd.
Union of India, Ministry of New and Renewable Energy

Petition No. 42/MP/2014

Sub: Petition for adjustment of tariff, extension of time for execution of project and other consequential reliefs.

Petitioner : Corporate Ispat Alloys Limited

Respondents : NTPC Vidyut Vyapar Nigam Ltd.
Union of India, Ministry of New and Renewable Energy

Parties present : Shri Sanjiv R Saxena, Advocate, MNRE
Shri R. Mishra, Advocate, MNRE
Shri R. Gupta, MNRE
Shri Sanjay Karndhar, MNRE
Shri Sakiya Choudhery, Advocate, DSPL
Ms. Kanika Chugh, Advocate, DSPL
Ms. Esha Shekhar, Advocate, DSPL
Shri Sandeep Chakroborty, DSPL
Shri Abhimanyu Das, RSTEPL
Shri N.M. Venugopal, MEIL
Shri Amit Kapoor, GGEL
Shri M.G. Ramachandran, Advocate, NVVNL
Ms Anushree Bardhan, Advocate, NVVNL
Shri Dharmendra Singh, NVVN
Shri P.K.Mahajan, NVVNL

Record of Proceedings

Learned counsel for Ministry of New and Renewable Energy (MNRE) requested for extension of the date for consideration of the representations of Solar Power Developers till 30.9.2015 and prayed for listing of the petitions thereafter. Learned counsel for Godavari Green Energy Limited objected to the adjournment.

2. Learned counsel for NVVNL submitted that NVVNL in its reply has taken a preliminary objection that the petitions suffer from non-joinder of necessary parties since the distribution companies which are the ultimate purchasers of power from solar thermal power plants have not been impleaded as parties to the petitions. He further submitted that bank guarantees of the petitioners also need to be extended.

3. Learned counsels for the petitioners submitted that distribution companies are not necessary parties in these petitions and therefore, they have not been impleaded as parties to the petitions.

4. The Commission directed MNRE to dispose of the representations submitted by the petitioners at the earliest, but not later than 30.9.2015.

5. The Commission directed that on the next date of hearing, the issue of maintainability of the petitions including the objection of NVVNL regarding non-joinder of necessary parties shall be considered.

6. The Commission directed NVVNL to maintain status quo and not to encash the Performance Bank Guarantee of the petitioners. The petitioners were directed to keep the Performance Bank Guarantees valid taking into account the extended time in line with terms and conditions of their respective PPAs and claim period of at least two months.

7. The petitions shall be listed for hearing on 15.10.2015.

By order of the Commission

**SD/-
(T. Rout)
Chief (Law)**