

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 402/MP/2014**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Article 13.2 (b) of the Power Purchase Agreement dated 7.8.2007 executed between Sasan Power Limited and the procurers for compensation due to change in law impacting revenues and costs during the operating period.

Date of hearing : 8.1.2015

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

Petitioner : Sasan Power Limited

Respondents : MP Power Management Company Limited and others

Parties present : Shri Amit Kapoor, Advocate, SPL  
Shri Vishrav Mukerjee, Advocate, SPL  
Shri N.K.Dev, SPL  
Shri M.G. Ramchandran, Advocate, Haryana  
Ms. Poorva Saigal, Advocate, Rajasthan

**Record of Proceedings**

Learned counsel for the petitioner submitted that the present petition has been filed for seeking compensation for the following 'Change in Law' events during the operating period:

- (a) Monthly payments to the eligible Project Displaced Persons (PDPs) towards old age pension and to displaced helpless persons such as old aged, disabled, widow and unmarried women
- (b) Payments towards providing free education facilities, study materials, school uniforms and education stipend to children (boys and girls) of PDPs attending school in colony constructed by the Petitioner.

(c) Payments made towards sustenance allowance to eligible PDPs based on the industrial wages for skilled labour notified by the Government of Madhya Pradesh in lieu of employment.

2. Learned counsel for the petitioner further submitted that the petitioner had given notice of the 'Change in Law' events on 4.9.2014 as required in Article 13.3.1 of the PPA. Further, a meeting was held between the petitioner and procurer on 19.9.2014 to discuss change in law events in which it was agreed that the petitioner should approach CERC for compensation under Article 13.2.(b) of the PPA. Accordingly, the petitioner has filed the present petition

3. After hearing the learned counsel for the petitioner, the Commission directed to admit the petition and issue notice to the respondents.

4. Learned counsels for the distribution companies of Haryana and Rajasthan accepted notice on behalf of Haryana and Rajasthan.

5. The Commission directed the petitioner to serve copy of the petition on the respondents by 15.1.2015. The respondents were directed to file their replies 3.2.2015 with an advance copy to the petitioner, who may file its rejoinder, if any, on or before 20.2.2015.

6. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with.

7. The petition shall be listed for hearing on 26.2.2015.

**By order of the Commission**

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