

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 229/MP/2016

Subject : Petition under Section 79 (1) (b) read with Section 79 (1) (f) of the Electricity Act, 2003 seeking compensation on account of occurrence of 'Change in Law' and 'Force Majeure' events relating to Power Purchase Agreement dated 19.8.2013 entered into between the Petitioner and the Respondent.

Date of hearing : 8.12.2016

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

Petitioner : DB Power Limited.

Respondent : Tamil Nadu Generation and Distribution Corporation Limited

Parties present : Shri Deepak Khurana, Advocate, DB Power Limited
Shri H. Sharma, DB Power Limited
Shri S. Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed for adjudication of the claims arising from change in law and force majeure events as per the provisions of the PPA dated 19.8.2013 entered into between the petitioner and the respondent. Learned counsel for the petitioner further submitted that since the electricity from the generating station is being supplied to more than one State i.e. States of Tamil Nadu and Rajasthan, it satisfies the condition of the composite scheme.

2. After hearing the learned counsel for the petitioner, the Commission directed to issue notice to the respondent on admissibility of the petition.

3. Learned counsel appearing on behalf of TANGEDCO accepted the notice and requested for four weeks time to file reply to the petition.

4. The Commission directed the petitioner to serve copy of the petition on the respondent immediately. The respondent was directed to file its reply by 9.1.2017 with an advance copy to the petitioner who may file its rejoinder, if any, by 23.1.2017. The

Commission directed that due date of filing the reply should be strictly complied with. No extension shall be granted on that account.

5. The petition shall be listed for hearing on 9.2.2017 on admissibility.

By order of the Commission

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