

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 8/MP/2014

Subject : Evolving a mechanism for grant of an appropriate adjustment/ compensation to offset financial/ commercial impact of change in law during Construction and Operating period.

Date of hearing : 19.1.2016

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

Petitioner : EMCO Energy Limited

Respondents : Maharashtra State Electricity Distribution Co. Limited and others

Parties present : Shri V.Mukherjee, Advocate for the petitioner
Shri Rohit Venkat, Advocate for the petitioner
Ms. Anand Ganeshan, Advocate, DNH
Shri Varun Pathak, Advocate, MSEDCL
Ms. Ashwini Chitnis, Prayas

Record of Proceedings

Learned counsels for the Electricity Department, Dadra and Nagar Haveli, MSEDCL and the representative of Prayas requested for two weeks time to file reply to the petition. The representative of Prayas submitted that a similar petition filed by Adani Power Ltd. (Petition No. 24/MP/2014) is listed for hearing on 21.1.2016 and requested to list the said petition long with the present petition.

2. After hearing the learned counsels for the parties and representative of Prayas, the Commission directed the respondents including Prayas to file their replies as a last chance, by 29.1.2016 with an advance copy to the petitioner who may file its rejoinder, if any, on or before 12.2.2016.

3. The Commission further directed the petitioner to submit on affidavit, by 2.2.2016, the following information/clarification with an advance copy to the respondents including Prayas:

(a) Copy of all the notifications in support of change in law events.

(b) Details of scheduled generation, actual generation at generator terminal, ex-bus generation and coal consumed (domestic and imported separately) in the generating station from the date of commercial operation of units-I and II i.e. 19.3.2013 and 1.9.2013 respectively and from 1.9.2013 to 31.3.2013 and each financial year thereafter.

(c) Detailed computation of claim made during construction and operation periods under separate PPA from respective date of impact of change in law for each financial year separately on each heads.

4. The Commission directed that due date of filing the replies, rejoinders and information shall be strictly complied with and no extension on that account shall be granted.

5. As regards listing of Petition No. 24/MP/2014 along with present petition, the Commission observed that the said petition is listed for hearing on 21.1.2016 and the submission of prayas will be kept in view while dealing with the said petition.

6. The petition shall be listed for hearing on 17.3.2016.

By order of the Commission

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