

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 1/RP/2016

Subject : Petition seeking review of the order dated 18.11.2015 in Petition No. 402/MP/2014.

Date of hearing : 4.2.2016

Coram : Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : Sasan Power Limited

Respondents : M.P.Power Management Company Limited and others

Parties present : Shri Sanjay Sen Senior Advocate,SPL
Shri N.K.Deo, SPL
Shri Gaurav Gupta, Advocate, PSPCL

Record of Proceedings

Learned senior counsel for the petitioner submitted that the present review petition has been filed on the ground that the Commission in the order dated 18.11.2015 did not issue any direction on the issue of carrying cost. Learned senior counsel further submitted as under:

(a) As per Article 13.2 of the PPA, while determining the consequence of change in law, the affected party shall be restored to the same economic position as if such change in law has not occurred.

(b) The change in law event was notified to the procurers on 4.9.2010 and in the meeting held on 19.9.2014 with procurers, change in law event was discussed and it was agreed to approach the Commission for compensation under Article 13.2 (b) of the PPA. Accordingly, the petition seeking compensation was filed before the Commission on 10.10.2014. Therefore, there was no delay on the part of the petitioner in filing the petition.

(c) Learned senior counsel for the petitioner requested the Commission to admit the petition.

2. After hearing the learned senior counsel for the petitioner, the Commission admitted the review petition and directed to issue notice to the respondents.

3. The Commission directed the review petitioner to serve copy of the petition on the respondents immediately. The respondents were directed to file their replies on affidavit, by 24.2.2015 with an advance copy to the petitioner who may file its rejoinder, if any by 2.3.2016. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

4. The review petition shall be listed for hearing on 8.3.2016.

By order of the Commission

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