

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No.18/MP/2017
Alongwith I.A. No. 6/2017**

Subject :Petition under section 79(1)(b) and 79 (1)(f) of the Electricity Act, 2003 for claiming compensation on account of event pertaining to change in law as per the terms of Power Purchase Agreements dated 13.6.2013 (PPAs) executed between the Petitioner and the Respondents.

Date of hearing : 27.7.2017

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

Petitioner : Bharat Aluminium Company Limited (BALCO)

Respondents : Kerala State Electricity Board Limited (KSEBL) and Others

Parties present : Shri Hemant Singh, Advocate, BALCO
Shri Nimesh Jha, Advocate, BALCO
Shri Ananya Mohan, Advocate, BALCO
Shri M.G. Ramachandran, Advocate, Prayas
Ms. Ranjitha Ramachandran, Advocate, Prayas
Ms. Anushree Bardhan, Advocate, Prayas
Shri Ashish Anand Bernad, Advocate, PTC
Shri Paramhans, Advocate, PTC
Shri Sanjay Kumar, Advocate, PTC

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed under Section 79 (1)(b) and 79 (1)(f) of the Electricity Act, 2003 seeking compensation on account of Change in Law events in terms of the Power Purchase Agreement dated 13.6.2013 executed between the Petitioner and the Respondents. Learned counsel for the Petitioner further submitted that KSEBL has filed its reply to the Petition and requested for one week time to file its rejoinder on the same.

2. Learned counsels for PTC and Prayas requested for one week time to file their replies to the Petition. Requests were allowed by the Commission.
3. After hearing the learned counsels for the Petitioner, the Respondents and Prayas, the Commission admitted the Petition.
4. The Commission directed the Petitioner to submit on affidavit, on or before 11.8.2017, year-wise impact of each Change in Law event and the total amount in tabular form (from the

date of commencement of supply of electricity or the date of Change in Law whichever is later) till 31.3.2017 in all the events in case of KSEBL alongwith the computation claim is more than threshold value as per Article 10 of the PPA.

5. The Commission directed the Respondents and Prayas to file their replies by 11.8.2017 with an advance copy to the Petitioner, who may file its rejoinder, if any, on or before 23.8.2017. The Commission directed that due date of filing the replies, rejoinder and information should be strictly complied with. No extension shall be granted on that account.

6. The petition shall be listed for hearing on 29.8.2017.

By order of the Commission

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