

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 24/MP/2014

Subject : Petition under Section 79 of the Electricity Act, 2003 to evolve a mechanism/adjust tariff on account of subsequent events rendering petitioners power plant commercially unviable due to unprecedented, unforeseeable and uncontrollable events including enactment of new coal pricing regulation by Indonesian Government and depreciation of Indian Rupee vis-à-vis US Dollar and levy MAT as per amendment of Section 115 JB of Income Tax Act, 1961.

Date of hearing : 17.1.2017

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

Petitioner : Adani Power Limited.

Respondents : Gujarat Urja Vikas Nigam Ltd. & Others.

Parties present : Ms. Abiha Zaidi, Advocate, APL
Ms. Nishtha Kumar, Advocate, APL
Ms. Ranjitha Ramachandran, Advocate, Prayas
Shri S.K. Nair, GUVNL

Record of Proceedings

Learned counsel for Prayas Energy Group submitted that Prayas has filed Civil Appeals bearing No. 5347 and 5348 of 2016 before the Hon'ble Supreme Court *inter alia* challenging the composite scheme as decided by the APTEL in its Full Bench judgment dated 7.4.2016 in Appeal No. 98 of 2014 and requested to adjourn the matter till disposal of the matter by the Hon'ble Supreme Court.

2. Learned counsel for the petitioner had no objection in this regard and submitted that the petitioner has already filed the rejoinder to the reply filed by GUVNL.

3. The Commission directed to adjourn the matter *sine die* till the issue of composite scheme is decided by the Hon'ble Supreme Court in the civil appeals pending before it. The Commission further granted liberty to the petitioner and the respondents to mention the petitions for hearing as and when the issue of composite scheme is decided by the Hon'ble Supreme Court.

By order of the Commission

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