

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**I.A. No. 26/2017 in  
Petition No. 157/MP/2015**

Subject : Interlocutory Application seeking clarification/ modification of Order dated 17.3.2017 in Petition No. 157/MP/2015.

Date of hearing : 7.9.2017

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

Petitioner : Coastal Gujarat Power Limited

Respondents : Gujarat Urja Vikas Nigam Limited and Others

Parties present : Shri Apporva Mishra, Advocate, CGPL  
Shri Tushar Nagar, Advocate, CGPL  
Shri G. Umapathy, Advocate, MSEDCL  
Ms. Swapna Seshadri, Advocate, PSPCL  
Ms. Ranjitha Ramachandran, Advocate, GUVNL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the Hon'ble Appellate Tribunal for Electricity (APTEL) vide its judgment dated 19.4.2017 in Appeal No. 161 of 2015 has held that in terms of the provisions of the PPA, Gujarat VAT is a Change in Law event. Accordingly, the present Interlocutory Application has been filed for seeking clarification/modification of the Commission's order dated 17.3.2017 in Petition No. 157/MP/2015 to hold that the increase in Gujarat VAT constitutes Change in Law event in terms of Article 13 of the PPA. Learned counsel for the Petitioner further submitted that except Maharashtra State Electricity Distribution Co. Ltd., none of the Respondents have filed their replies to the I.A. and requested the Commission to direct the Respondents to file the same.

2. The Commission directed the Respondents to file their replies by 22.9.2017 with an advance copy to the Petitioner, who may file its rejoinder, if any, on or before 29.9.2017. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

3. The Commission further observed that since the matter is covered under the judgement of the Hon'ble APTEL, the Commission will take a view on the basis of the pleadings and no further hearing will be required.

4. Subject to the above, the Commission reserved the order in the I.A.

**By order of the Commission**

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