

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 131/MP/2018**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and PPA dated 7.8.2007 for revision in tariff in exercise of the general regulatory Powers and compensation on account of increase cost incurred by Sasan Power Limited consequent to procurer event of default.

Date of Hearing : 5.7.2018

Coram : Shri P.K. Pujari, Chairperson  
Shri A.K. Singhal, Member  
Dr. M.K. Iyer, Member

Petitioner : Sasan Power Limited (SPL)

Respondents : M.P. Power Management Co. Ltd. and Others

Parties present : Shri Vishrov Mukherjee, Advocate, SPL  
Shri Janmali M., Advocate, SPL  
Shri Abhimanyu Das, SPL  
Shri G. Umapathy, Advocate, MPPMCL  
Shri Aditya Singh, Advocate, MPPMCL  
Shri Rajiv Srivastava, Advocate, UPPCL  
Shri Shubham Arya, Advocate, PSPCL & HPPC  
Ms. Poorva Saigal, Advocate, PSPCL & HPPC  
Ms. Anushree Bardhan, Advocate, PSPCL & HPPC

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present petition has been filed for seeking direction to the respondents to compensate the Petitioner for additional expenditure incurred and to be incurred due to non-availability of the sufficient OB Dump Land and implementation of the Optimized Mitigation Plan. Learned counsel for the Petitioner requested the Commission to appoint an independent expert/ institution to validate the Optimized Mitigation Plan, estimate of financial impact and tariff recovery.

2. Learned counsel for UPPCL submitted that in the reply of UPPCL, certain inadvertent submissions have been made which UPPCL seeks to withdraw and file a fresh reply. Learned counsel for the Petitioner objected to the withdrawal of the affidavit filed by UPPCL. The Commission permitted UPPCL to file an additional reply and observed that the decision on the request of UPPCL for withdrawal of the earlier reply will be taken subsequently.

3. Learned counsels for MPPMCL, PSPCL and HPPC requested for six weeks time to file their replies to the petition.

4. After hearing the learned counsels for the Petitioner and the respondents, the Commission admitted the petition and directed to issue notice to the respondents.

5. The Commission directed the Petitioner to serve copy of the petition on the respondents immediately, if not served already. The respondents were directed to file their replies, by 16.8.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 20.9.2018. 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.

6. The Petition shall be listed for hearing on 16.10.2018.

**By order of the Commission**

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