

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

DATE OF HEARING: 15.5.2018

Petition No. 253/MP/2017 along with I.A. No. 87/2017

Petitioner : SKS Power Generation (Chhattisgarh) Limited
Respondent : Power Grid Corporation of India Limited (PGCIL)
Subject : Petition seeking surrender/relinquishment of LTA of 513 MW (149 MW in WR and 364 MW in NR) out of the total LTA quantum of 683 MW granted under the Bulk Power Transmission Agreement dated 24.2.2010.

Petition No. 169/MP/2017 along with I.A. No. 43/2017

Petitioner : SKS Power Generation Limited
Respondent : Power Grid Corporation of India Limited (PGCIL)
Subject : Petition seeking surrender / relinquishment of 170 MW (170 MW in WR) out of the total quantum of 683 MW granted under the Bulk Power Transmission Agreement dated 24.2.2010.
Coram : Shri P.K. Pujari, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member
Parties present : Shri Sajan Poovayya, Senior Advocate, SKS Power
Shri Hemant Singh, Advocate, SKS Power
Shri Nishant Kumar, Advocate, SKS Power
Shri Pratibhanu Singh Kharola, Advocate, SKS Power
Ms. Jyotsna Khatri, Advocate, SKS Power
Shri Biju Mattam, Advocate, SKS Power
Shri Sitesh Mukherjee, Advocate, PGCIL
Shri Deep Rao, Advocate, PGCIL
Shri T. Ramakrishna Rao, SKS Power
Ms. Jyoti Prasad, PGCIL
Shri A. A. Srivastava, PGCIL

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the liability for relinquishment charges would be subject to the outcome of decision in Petition No.92/MP/2015. Learned senior counsel further submitted that Petitioner will keep the Bank guarantee valid and requested that the interim protection granted by the Commission vide ROP dated 21.12.2017 be continued till the next date of hearing.

2. Learned counsel for PGCIL submitted that as on date, ₹32 crore is outstanding against the Petitioner and due to interim order, PGCIL is not able to recover the same. Learned counsel further submitted that as per the provisions of BPTA, PGCL is entitled to encash the Bank guarantee. Learned counsel further submitted that since the issue of force majeure needs to be decided first, the argument in this regard is required to be advanced in these cases.

3. The Commission, after hearing the parties, directed PGCIL not to take any coercive measure till the next date of hearing. The Commission also directed the Petitioner to keep the Bank guarantee alive till the disposal of the petition.

4. The Commission directed to list these petitions after the decision in Petition No. 92/MP/2015.

By order of the Commission

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