

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Date of Hearing : 18.10.2018

Petition No. 305/MP/2015

Petitioner : Adhunik Power and Natural Resources Limited (APNRL)

Respondents : West Bengal State Electricity Distribution Company Limited and Others

Subject :Petition under Section 79 of the Electricity Act, 2003 read with the provisions of the Power Supply Agreement dated 5.1.2011 and Power Purchase Agreement dated 25.3.2011 for directions to make Energy Charges as pass through based on the actual fuel cost incurred by the Petitioner.

Petition No. 255/MP/2017

Petitioner : Adhunik Power and Natural Resources Limited (APNRL)

Respondents : West Bengal State Electricity Distribution Company Limited and Others

Subject : Petition under Section 79 (1) (b) and 79 (1)(f) of the Electricity Act, 2003 read with Article 10 of the PPA seeking compensation on account of events pertaining to "Change in Law" as per the Power Purchase Agreement (PPA) dated 25.3.2011 executed between the Petitioner and the Respondent No. 2 and as per the terms of the Power Supply Agreement (PSA) dated 5.1.2011 executed between Respondent No.1 and Respondent No. 2.

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

Parties Present : Shri Amit Sibal, Senior Advocate, APNRL
Shri Tejas V. Anand, Advocate, APNRL
Shri Deepak Khurana, Advocate, APNRL
Shri Vishrov Mukherjee, Advocate, WBSEDCL
Ms. Raveena Dhamija, Advocate, WBSEDCL
Shri Janmali M., Advocate, WBSEDCL
Shri Aashish Anand Bernad, Advocate, PTC India
Shri Paramhans, Advocate, PTC India
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri Aditya Swaroop, APNRL
Shri K. Manoraj, APNRL
Shri Ramandeep, APNRL

Record of Proceedings

At the outset, learned counsel for WBSEDCL and learned senior counsel for the Petitioner advanced extensive arguments in support of their contentions in Petition No. 305/MP/2015 and reiterated the various provisions of the PPA.

2. Based on the detailed submissions made by the learned senior counsel for the Petitioner and learned counsel for WBSEDCL, the Commission directed the Petitioner and the Respondents to file their written submissions by 31.10.2018 with copy to each other. Subject to the above, the Commission reserved the order in the Petition No. 305/MP/2015.

3. Petition No. 255/MP/2017 shall be listed for hearing separately in due course for which separate notice shall be issued.

By order of the Commission

Sd/-
(T. D. Pant)
Deputy Chief (Law)