

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 71/MP/2018

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding ("Competitive Bidding Guidelines") and (a) Article 10 of the PPA dated 17.3.2010 between Maharashtra State Electricity Distribution Company Limited and EMCO Energy, PPA dated 21.3.2013 with Electricity Department of Union Territory of Dadra and Nagar Haveli and EMCO Energy, PPA dated 27.11.2013 between GMR Energy Trading Limited and the Tamil Nadu Generation and Distribution Corporation Limited through EMCO Energy Limited.

Date of Hearing : 17.9.2018

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

Petitioner : GMR Warora Energy Limited

Respondents : Maharashtra State Electricity Distribution Company Limited and Others

Parties present : Shri Vishrov Mukherjee, Advocate, GMRWEL
Ms. Raveena Dhamija, Advocate, GMRWEL
Ms. Rimali Batra, Advocate, MSEDCL

Record of Proceedings

Learned counsel for the Petitioner submitted that present Petition has been filed seeking relief on account of the following change in law events during the operating period:

- a) Levy of Evacuation Facility Charge by Coal India Limited;
- b) Expenditure towards CSR activities pursuant to the Companies Act, 2013;
- c) Expenditure towards CSR activities pursuant to Environmental Clearance dated 25.10.2010; and
- d) Levy of GST on O & M contracts pursuant to the Central Good and Services Tax Act, 2017.

2. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notices to the respondents.

3. The Commission directed the Petitioner to serve copy of the Petition on the respondents immediately, if not served already. The Commission directed the respondents

to file their replies, by 3.10.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 15.10.2018. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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