

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No : 77/MP/2018

Subject : Petition seeking directions for applicability of the provisions of PTC-PPA signed between petitioner and the respondent No.6 and procurers PPA signed between respondent no.6 and respondent nos. 1 to 5, both dated 25.7.2013 for the purposes of calculation of penalties due to less than 80% availability for a contract year.

Date of Hearing : 5.7.2018

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

Petitioner : TRN Energy Private Limited

Respondents : Paschimanchal Vidyut Vitran Nigam Limiter and Others

Parties present : Shri Suraj Prakash, Advocate, TRNEPL
Shri Manoj Rastogi, TRNEPL

Record of Proceedings

Learned counsel for the petitioner submitted that the present petition has been filed for seeking direction to the respondents No. 1 to 6 for computation of the penalty amount considering the 'cumulative availability till the last month of the Contract Year and not on 'stand-alone' basis for each month.

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 2.8.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 31.8.2018. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.
4. The petition shall be listed for hearing on 6.9.2018.

By order of the Commission

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