

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.84/MP/2018**

Subject : Petition under 79 (1)(b) and (f) for approval of the discount in tariff on account of allocation of coal linkage under the SHAKTI Scheme of the Govt

Petitioner : Adhunik Power & Natural Resources Limited (APNRL)

Respondent : TANGEDCO & others

Date of hearing : **3.4.2018**

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

Parties present: Shri Ramji Srinivasan, Senior Advocate, APNRL  
Ms. Shikha Ohri, Advocate, APNRL  
Shri Smarjit Sahoo, APNRL  
Shri S. Vallinayagam, Advocate, TANGEDCO

**Record of Proceedings**

During the hearing, the learned Senior counsel for the Petitioner submitted that the Petitioner had participated in SHAKTI Scheme and was declared as a provisional successful bidder in securing coal linkage under the said scheme. Accordingly, CCL had issued LOI on 21.12.2017 as per which the total quantity of 900000 tonnes of coal has been allocated to the Petitioner for supply of power to the discoms with whom the Petitioner had executed long term PPAs. The learned senior counsel further submitted that in terms of the SHAKTI Scheme and the terms of LOI, approval of the Commission is required to be obtained for the discount of 3 paisa/ unit offered by the Petitioner for supply of 100 MW to Respondent No. 1, TANGEDCO. He also pointed out that the Respondent No. 1, TANGEDCO had given its consent to the Petitioner for securing coal linkage under the SHAKTI Scheme by issuing the verification certificate and as such, considering the specific timeline for signing of the FSA, the Commission may approve the discount in tariff. The learned Senior counsel added that pursuant to this, the amended /supplementary PPA shall be duly executed between the Petitioner and the Respondent No.1, TANGEDCO, on back to back basis through the Respondent No.2, PTC.

2. The Commission observed that under the SHAKTI scheme, the Petitioner and the Respondents are required to enter into amended/supplemental PPA based on mutual consent, factoring the discount offered by the Petitioner in tariff for the coal linkage and approach the Commission thereafter for approval of the



amended/ supplemental PPA. The learned Senior counsel submitted that the last date for availing the benefit under SHAKTI Scheme is 20.4.2018. The Petitioner took up the matter with PTC on 21.12.2017, who in turn took up the matter with TANGEDCO. On account of the delay in response of TANGEDCO, the Petitioner has no other option but to approach the Commission to issue directions to approve the discount in tariff, so that the Petitioner may not be deprived of the linkage coal secured under the SHAKTI scheme.

3. In response, the learned counsel for the Respondent, TANGEDCO submitted that certain issues have arisen with regard to the tariff adopted as the same was based on tapering linkage till 31.11.2015 and through captive coal block from 1.12.2015 onwards. The learned counsel added that after settlement of the issues between the parties, amendment of PPA would be considered by the respondent. To this, the learned Senior counsel for the Petitioner submitted that the Commission may approve the discount in tariff offered by the Petitioner with directions to the parties to settle all other outstanding issues.

4. The Commission after hearing the parties directed the Respondent to file its reply in the matter, with advance copy to the Petitioner, on or before **9.4.2018** and rejoinder, if any, by Petitioner, by **11.4.2018**.

5. Matter shall be listed for hearing on **12.4.2018**.

By order of the Commission

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

