

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 24/MP/2014

Coram:

Shri P.K.Pujari, Chairperson

Shri A.K.Singhal, Member

Dr. M.K.Iyer, Member

Date of Order: 27th of August, 2018

In the matter of

Petition under Section 79 of the Electricity Act, 2003 to evolve a mechanism/adjust tariff on account of subsequent events rendering petitioner`s power plant commercially unviable due to unprecedented, unforeseeable and uncontrollable events including enactment of new coal pricing regulation by Indonesian Government, depreciation of Indian Rupee vis-à-vis US Dollar and levy of MAT as per amendment of Section 115 JB of the Income Tax Act, 1961.

And

In the matter of

Adani Power Limited
"Adani House", Near Mithakhali Six Roads,
Navarangpura, Ahmedabad, Gujarat-380009

..... **Petitioner**

Vs.

Gujarat Urja Vikas Nigam Limited
Sardar Patel Vidyut Bhavan,
Race Course Circle,
Vadodara – 390007

...**Respondent**

Parties Present:

Ms. Abiha Zaidi, Advocate for the Petitioner
Shri A. Laroija, Advocate, GUVNL
Shri Nitish Gupta, Advocate, GUVNL
Shri M.G Ramachandran, Advocate, Prayas
Ms. Ranjita Ramachandran, Advocate, Prayas
Shri Subham Arya, Advocate, Prayas
Shri S.K.Nair, GUVNL

ORDER

The Petitioner, Adani Power Limited, has filed the present petition for seeking appropriate adjustment to the tariff under PPA dated 6.2.2007 to restitute the Petitioner for the adverse financial impact of the subsequent events by recognizing the unprecedented, unforeseeable, uncontrollable and un-absorbable increase in fuel cost due to enactment of Indonesian Regulation from 1.9.2011 and the unprecedented, unforeseeable, uncontrollable and un-absorbable depreciation in value of Indian Rupee Vis-à-vis the US Dollar and levy of MAT as per amendment of Section 115 JB of the Income Tax Act, 1961.

2. During the course of hearing, learned counsel for the Petitioner sought permission to withdraw the present petition.

3. The prayer of the Petitioner is allowed. Accordingly, Petition No. 24/MP/2014 is disposed of as withdrawn.

Sd/-
(Dr. M.K.Iyer)
Member

sd/-
(A. K. Singhal)
Member

sd/-
(P.K.Pujari)
Chairperson