

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.111/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 read with PPA dated 31.3.1997 against the illegal and unlawful refusal of the Respondents to accept declaration of availability from the 370 MW combined cycle power station at Vemagiri, East Godavari District, Andhra Pradesh and consequent refusal to schedule power from the Project and pay applicable tariff including capacity charges for deemed generation.

Date of hearing : 12.6.2019

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

Petitioner : GMR Vemagiri Power Generation Limited (GMR VPGL Ltd.)

Respondents : Andhra Pradesh Power Co-Ordination Committee & Others (APPCC)

Parties present : Shri Vishrov Mukherjee, Advocate, GMR VPGL
Shri Sandeep Rajpurohit, GMR VPGL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed inter alia for seeking declaration that the actions of the Respondents in rejecting the Availability Declaration made by the Petitioner by using the Deep Water Gas, as illegal and contrary to the terms of the PPA and the Orders passed by the APERC and direct the Respondents to pay applicable tariff including capacity charges for deemed generation.

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

3. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately, if not served already. The Respondents were directed to file their replies by 3.7.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 19.7.2019. The Commission directed that due date of filing the replies 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.D. Pant)
Deputy Chief (Law)**

