

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 112/MP/2015

Subject : Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Article 13.2 (b) of the Power Purchase Agreement dated 7.8.2007 executed between GMR Kamalanga Energy Limited and Bihar State Power (Holding) Company Limited for compensation due to change in law impacting revenues and costs during the operating period.

Petitioners : GMR Kamalanga Energy Ltd & GKEL.

Respondents : BSPHCL & Prayas Energy Group

Date of hearing : **8.1.2019**

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

Parties present : Shri Vishrov Mukerjee, Advocate, GMR
Ms. Raveena Dhamija, Advocate, GMR
Ms. Yashaswi, Advocate, GMR
Shri M.G.Ramachandran, Advocate, BSPHCL & Prayas
Ms. Ranjitha Ramachandran, Advocate, BSPHCL & Prayas
Ms. Poorva Saigal, Advocate, BSPHCL & Prayas

Record of Proceedings

Pursuant to the directions of APTEL in its judgment dated 21.12.2018 in Appeal No. 193 of 2017, this petition was listed for hearing.

2. During the hearing, the learned counsel for the Petitioner circulated a copy of the above judgment of APTEL and submitted that APTEL had allowed the compensation claims of the Petitioner with regard to change in NCDP (cancellation of Captive Block vis-a-vis tapering linkage), busy season surcharge & developmental surcharge, carrying cost and add on premium price. Accordingly, the learned counsel submitted that the Commission may pass consequential orders in the matter.

3. In response, the learned counsel appearing for Respondent, BSPHCL and the consumer group, M/s Prayas requested for time to file its submissions on the quantum of compensation to be granted on the claims allowed.

4. The Commission after hearing the parties adjourned the hearing. The Commission directed the Respondent / consumer group to file its submissions on the quantum of compensation to be granted to the Petitioner, on or before **21.1.2019**, with advance copy to the Petitioner, who shall file its response, if any, by **25.1.2019**.

5. Matter shall be listed for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

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

