

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 124/MP/2019

Subject : Petition pursuant to Judgment of the Hon'ble Appellate Tribunal for Electricity dated 6.3.2019 in Appeal No. 149 of 2017 and 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 Sasan Power Limited and the Procurers for awarding of Carrying Cost on the compensation payable for allowed 'Change in Law' events.

Petitioner : Sasan Power Limited

Respondents : MP Power Management Company Limited and Others

Date of hearing : 12.6.2019

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

Parties present : Shri Vishrov Mukherjee, Advocate, SPL
Shri Rajiv Srivastava, Advocate, UPPCL
Shri Alok Shankar, Advocate, TPDDL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed pursuant to the matter remanded by the APTEL vide its judgment dated 6.3.2019 in Appeal No.149/2017 wherein the APTEL has directed the Commission for fresh consideration of carrying cost in light of the Hon'ble Supreme Court judgment dated 18.11.2015. Learned counsel requested to issue notice to the Respondents.

2. Learned counsels appearing on behalf of UPPCL and TPDDL accepted the notice and requested for time to file their replies.
3. After hearing the learned counsels for the Petitioner and the Respondents, the Commission admitted the Petition and directed to issue notice to the Respondents.
4. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately. 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 17.7.2019. 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.
5. The Petition 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.D. Pant)
Deputy Chief (Law)**