

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 126/MP/2019

Subject : Petition under Section 79 (1) (c) and (f) and other applicable provisions of the Electricity Act, 2003 seeking declaration that the event namely, Notification of the GIB Arc coordinates vide letter dated 28.2.2019 by the Deputy Conservator of Forest, Jaisalmer on account of which Petitioner is required to re-route the 765 kV D/C Fatehgarh-Bhadla Transmission Line, is a 'Change in Law' event under Article 12 of the TSA dated 10.1.2018.

Petitioner : Fatehgarh- Bhadla Transmission Limited

Respondent : Adani Renewable Energy Park Rajasthan Limited

Date of hearing : 17.7.2019

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

Parties present : Shri Buddy A. Ranhanandhan, Advocate, FBTL
Shri Raunak Jain, Advocate, FBTL
Shri Vishvendra Tomar, Advocate, FBTL
Shri Bhavesh Kundalia, FBTL
Shri Rakesh Shah, FBTL
Shri C.K. Rai, Advocate, APEPRL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* for seeking declaration that the notification of the Great India Bustard Arc (GIB Arc) coordinates vide letter dated 28.2.2019 by the Deputy Conservator of Forest, Jaisalmer is a change in law event under Article 12 of the TSA dated 10.1.2018. Learned counsel submitted that the notification of GIB Arc has compelled the transmission licensee to re-route the 765 kV D/C Fatehgarh-Bhadla Transmission Line. Learned counsel submitted that the length of the transmission line has increased by 1.5 times of the originally envisaged route on account of GIB Arc and the lenders are hesitant to fund the additional cost unless the event is declared as change in law by the Commission

2. The Commission observed that since the SCOD of the Project is September, 2019, the Petition at this stage is premature. In response, learned counsel for the Petitioner requested for a week's time to file an affidavit for withdrawal of the Petition. Accordingly, the Petitioner was allowed to file its affidavit on or before 24.7.2019.

3. The Petition shall be listed for hearing if required in due course for which separate notice will be issued

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**