

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Date of Hearing: 15.2.2019

Petition No.169/MP/2016 alongwith IA No. 54/2018

Subject : Petition for adjudication of claim towards compensation arising out of change in Law and consequential reliefs as per provisions of the PPA dated 31.7.2012 executed between the Petitioner and Respondents.

Petitioner : KSK Mahanadi Power Company Limited

Respondents : Eastern Power Distribution Company of Andhra Pradesh Ltd. and Others

Petition No. 176/MP/2016

Subject : Petition under section 79 (1) (f) of the Electricity Act, 2003 for adjudication of disputes arising under the Power Purchase Agreement dated 31.7.2012 between the Petitioner and the Respondents.

Petitioner : KSK Mahanadi Power Company Limited

Respondents : Eastern Power Distribution Company of Andhra Pradesh Ltd. and Others

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

Parties present : Ms. Swapna Seshadri, Advocate, KSK Mahanadi
Shri Anand K. Ganesan, Advocate, KSK Mahanadi
Shri Ashwin Ramanathan, Advocate, KSK Mahanadi
Shri S. Vallinayagam, Advocate, AP Discoms.
Shri Sri Harsha Peechara, Advocate, AP & Telangana Discoms
Ms. Kriti Sinha, Advocate, AP & Telangana Discoms
Shri Nishant, Advocate, AP & Telangana Discoms
Shri Rakesh K. Sharma, AP & Telangana Discoms

Record of Proceedings

Learned counsel for KSK Mahanadi submitted that pursuant to the common order dated 31.12.2018 of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, the Commission has the jurisdiction to adjudicate the disputes with regard to Change in Law. Learned counsel requested the Commission to issue notice to the Respondents.

2. Learned counsels for the Respondents accepted the notice and requested for four weeks time to file their replies to the Petitions.



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 22.3.2019 with an advance to the Petitioners who may file its rejoinder, if any, by 5.4.2019. 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. Learned counsel for the Petitioner submitted that the Petitioner has filed IA No.54/2018 in Petition No.169/MP/2016 for recalling the RoP dated 15.11.2016. Learned counsel further submitted that since, the Petitions have already been listed for hearing, the IA No. 54/2018 may be disposed of. Considering the submissions made by the learned counsel for the Petitioner, the Commission disposed of the IA No.54/2018.

6. The Petitions shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**sd/-
(T. Rout)
Chief (Law)**