

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 18/MP/2019
Alongwith IA No. 13/2019**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 17 of the PPA dated 23.3.2007 for between Coastal Andhra Power Limited and Distribution licensees of States of Andhra Pradesh, Telangana, Maharashtra, Karnataka and Tamil Nadu seeking reference of disputes between CAPL and Procurers to Arbitration.

Petitioners : Coastal Andhra Power Ltd. (CAPL) and Another

Respondents : Andhra Pradesh Central Power Distribution Company and Others

Date of Hearing : 15.2.2019

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

Parties present : Shri Vishrov Mukherjee, Advocate, CAPL
Shri Janmali M., Advocate, CAPL
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
Shri Arunav Patnaik, Advocate, Karnataka Discoms
Ms. Anandini Kumar, Advocate, Karnataka Discoms
Shri S. Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

Learned counsel for the Petitioners submitted that Coastal Andhra Power Limited (CAPL) and Reliance Power Limited (RPL), have jointly filed the present petition under Section 79 of the Electricity Act, 2003 read with Article 17 of the PPA dated 23.3.2007 to refer the disputes between the parties to arbitration.

2. Learned counsels for TANGEDCO, Andhra Pradesh, Telangana and Karnataka Discoms accepted the notice and requested for four weeks time to file reply to the Petition.

3. After hearing the learned counsels for the Petitioners and the Respondents, the Commission admitted the Petition and directed to issue notice to the Respondents.

4. The Commission directed the Petitioners 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 Petitioners have filed IA

No.13/2019 for restraining the Respondents from taking any coercive action against BGs. Learned counsel submitted that since the procurers have encashed the Performance Bank Guarantee, IA has become infructuous. Taking note of the submissions made by the learned counsel for the Petitioners, the Commission disposed of the IA as infructuous.

6. The Petition 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)**