

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 208/MP/2018

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 and Article 10 of the Power Purchase Agreement dated 19.8.2013 entered into between the Petitioner and the Respondent, seeking approval of the cost to be incurred by the Petitioner on account of change in law, for installation/retrofit of 'Electrostatic Precipitators' (ESP), installation of Flue Gas Desulphurisation (FGD), installation of low Nox burners, providing Over Fire Air (OFA) and any other measures for compliance of the notification dated 7.12.2015 issued by the Ministry of Environment and Forests and Climate Change, Government of India in respect of Thermal Power Plants installed/commissioned after 1.1.2003; and for other claims on account of Change in Law under the Power Purchase Agreement.

Petitioner : DB Power Limited

Respondents : TANGEDCO and Others

Date of Hearing : 16.7.2019

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

Parties present : Shri Deepak Khurana, Advocate, DBPL
Shri S.Vallinayagam, Advocate, TANGEDCO

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed pursuant to liberty granted by the Commission in its order dated 19.12.2017 in Petition No. 229/MP/2016 to allow the revision/addition of components in assessing the Central Excise Duty, additional cost incurred towards Fly Ash Transportation, levy of Evacuation Facility Charge on dispatch of coal and carrying cost. Learned counsel in support of its contention relied upon the Commission's orders in Petition No. 255/MP/2017 and Petition No.72/MP/2018.

2. After hearing the learned counsel for the Petitioner, the Commission reserved order in the Petition.

By order of the Commission

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