

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.240/MP/2019

Subject : Petition under Section 79(1)(b) of the Electricity Act, 2003 for claiming compensation on account of occurrence of "Change in Law" event as per Article 10.1.1 of the Case-1 long-term Power Purchase Agreement dated 21.03.2013 entered into between GMR Warora Energy Limited and DNH Power Distribution Corporation Limited, thereby resulting into additional recurring/non-recurring expenditure to GMR Warora Energy Limited for supply of 200 MW Contracted Capacity from its 2 x 300 MW Thermal Power Station at Warora, Distt. Chandrapur in the State of Maharashtra to DNH Power Distribution Corporation Limited.

Petitioner : GMR Warora Energy Limited.

Respondent : Dadra & Nagar Haveli Power Distribution Corporation Limited (DNH) and Anr.

Date of hearing : **5.11.2019**

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

Parties present : Shri Sanjay Sen, Senior Advocate, GMR
Ms. Divya Chaturvedi, Advocate, GMR
Shri Saransh Shaw, Advocate, GMR

Record of Proceedings

The learned Senior counsel for the Petitioner submitted that it has sought compensation on account of unprecedented and unforeseen increase in the shared Inter-State Transmission Charges to the following Change in Law events: (1) Unprecedented increase in PoC Charges & (2) Introduction of HVDC charges and Reliability Support chargers by Commission vide CERC (Sharing of Inter State Transmission Charges and Losses) (Third Amendment) Regulations, 2015. The learned Senior counsel further stated that the said events are Change in Law events in terms of Article 10.1.1 of the PPA dated 21.3.2013.

2. The Commission after hearing the learned Senior counsel for the Petitioner, admitted the Petition and directed to issue notice to the Respondents. The Commission directed Petitioner to serve copy of the Petition on the Respondents, by **13.11.2019** and Respondents to file their replies by **22.12.2019** with advance copy to the Petitioner, who may, file its rejoinder, if any on or before **29.12.2019**.

3. Petition shall be listed in due course for which separate notices will be issued to the parties.

By order of the Commission

Sd/-
(B.Sreekumar)
Deputy Chief (Law)

