

CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No.300/MP/2018

- Subject : Petition under Section 79 (1) (b) and (f) of the Electricity Act, 2003 read with Regulation 14 (3) (ii) and Regulation 8 (3) (ii) of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations 2014 and read with statutory framework governing procurement of power through Competitive Bidding and Article 10 and 13 of the respective Power Purchase Agreements, executed between GMR Kamalanga Energy Limited and its beneficiaries, seeking compensation on account of Change in Law events impacting revenues and costs during the Operating Period
- Petitioner : GMR Kamalanga Energy Limited & Anr.
- Respondents : Bihar State Power (Holding) Company Ltd. & Ors.

Petition No.301/MP/2018

- Subject : Petition under Section 79 (1) (b) and (f) of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Article 10 of the Power Purchase Agreements dated 17.3.2010, 21.3.2013 and 27.11.2013 executed between GMR Warora Energy Limited and the Procurers for compensation due to Change in Law impacting revenues and costs during the Operating Period
- Petitioner : GMR Warora Energy Limited
- Respondents : Maharashtra State Electricity Distribution Company Ltd. & Ors.
- Date of hearing : 31.10.2019
- Coram : Shri P.K.Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S.Jha, Member
- Parties present : Shri Venkatesh, Advocate, GMR
Ms. Nishtha Kumar, Advocate, GMR
Shri Raj Kumar Mehta, Advocate, GRIDCO
Ms. Himanshi Andley, Advocate, GRIDCO
Shri R.B.Sharma, Advocate, BSPHCL
Shri Ramachandran, Senior Advocate, Haryana Utilities
Shri Shubham Arya, Advocate, Haryana Utilities
Ms. Proova Saigal, Advocate, Haryana Utilities
Shri Ajay Kumar Bansal, UBVHN
Shri Anand K. Ganesan, Advocate, DNH
Ms. Swapna Seshadri, Advocate, DNH
Shri Ashwin Ramanathan, Advocate, DNH
Shri Anup Jain, Advocate, MSEDCL
Shri S. Rama, Advocate, MSEDCL



Record of Proceedings

The learned counsel for the Petitioner requested for grant of time for amendment of pleadings to place on record certain additional information. The learned counsel for the Respondents, GRIDCO sought four weeks time to file reply in the matter. Accordingly, the hearing of the Petitions was adjourned.

2. The Commission however directed the Petitioner to file the following additional information, on affidavit, on or before **25.11.2019**, with a copy to the Respondents;

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- (a) Provide the item-wise breakup of funds allocated for implementation of environmental protection measures and the year-wise expenditure which was reported to the Ministry, MoE&F, GOI;
- (b) Furnish any relevant information to prove that the item-wise cost earmarked for environmental protection measures was not factored at the time of bidding of the project;
- (c) Clarification as to whether the requirement of FGD was envisaged in the Investment Approval/ Financial closure.

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- (a) Provide details of the steps undertaking in compliance of the clauses 4.A (Specific Condition) & 4.B (General Condition) of the Environment Clearance with regard to environmental measures and submit the item-wise break-up of funds allocated for implementation of environment protection.
3. The Respondents are directed to file their replies on or before **20.12.2019**, with advance copy to the Petitioner, who may, file its rejoinder by **27.12.2019**.
4. These Petitions shall be listed in due course for which separate notice will be issued to the parties.

By order of the Commission

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

