

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 342/MP/2019

Subject : Petition invoking Regulation 1.5(iv) read with Regulation 5.2(u) and Regulation 6.5(11) of the CERC (Indian Electricity Grid Code) Regulations, 2010 for enforcement of must run status granted to solar power project and Regulation 111 of the CERC (Conduct of Business) Regulations, 1999 seeking direction to State Load Dispatch Centre to stop issuing backing down instructions to the Petitioner.

Petitioner : Prayatna Developers Private Limited (PDPL)

Respondents : Andhra Pradesh State Load Dispatch Centre & Ors.

Date of Hearing : 29.10.2019

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

Parties present : Shri Amit Kapur, Advocate, PDPL
Ms. Aparajita Upadhyay, Advocate, PDPL
Shri Rakesh Shah, PDPL
Shri S. Vallinayagam, Advocate, APSLDC
Shri M.G. Ramachandran, Advocate, NTPC
Shri I. Uppal, NTPC
Shri Ashok Rajan, POSOCO
Shri Alok Kumar Mishra, POSOCO

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter alia* seeking direction to SLDC, Andhra Pradesh to stop issuing back down instruction to the Petitioner's Project. Learned counsel submitted that since January, 2019, SLDC has been issuing telephonic instructions to the Petitioner to back down generation of solar power which resulted into loss of generation and recovery of tariff of Rs. 3.56 crore between 30.1.2019 to 24.10.2019. The arbitrary backing down instructions being issued by SLDC to the Petitioner are in contravention of the express terms of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010 to treat solar power plants as must run. Learned counsel requested to direct SLDC to refrain from interfering with the scheduling and Despatch responsibility of the Petitioner's power plant.

2. Learned counsel for SLDC, Andhra Pradesh accepted notice and requested for time to file reply.

3. After hearing the learned counsels for the Petitioner and the Respondent, 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, if not served already. The Respondents were directed to file their replies by 11.11.2019 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 18.11.2019. The Commission directed that due date of filing the reply and/or rejoinder should be strictly complied with.

5. The Petition shall be listed for hearing in the last week of November, 2019 for which notice will be issued separately.

By order of the Commission

**sd/-
(T.D. Pant)
Deputy Chief (Legal)**

