

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 380/MP/2018

Subject : Petition under Section 79 (1) (b) and 79 (1) (f) of the Electricity Act, 2003 read with Article 10 of the Power Purchase Agreement dated 12.12.2013 executed between the Petitioner and the Respondent No. 1 for claiming compensation on account of events pertaining to change in law.

Petitioner : IL&FS Tamil Nadu Power Company Limited

Respondents : Tamil Nadu Generation and Distribution Company Ltd. and Others

Date of Hearing : 16.4.2019

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

Parties present : Shri Sanjay Sen, Senior Advocate, IL&FS
Shri Hemant Singh, Advocate, IL&FS
Shri Nishant Kumar, Advocate, IL&FS
Ms. Jyotsna Khatri, Advocate, IL&FS

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed for seeking compensation on account of Change in Law events as per the provisions of the PPA dated 21.12.2013 and to restore the Petitioner to the same economic position as it was prior to the occurrence of such Change in Law events. Learned senior counsel requested to issue notice to the Respondents.

2. After hearing the learned senior counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents.

3. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately, if not served already. The Respondents were directed to file their replies by 30.4.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 14.5.2019. 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.

4. 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)**