

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 52/MP/2019

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 for approval of 'Change in Law'; and (ii) consequential relief to compensate for the increase in capital cost due to introduction of the Central Goods and Services Tax Act, 2017, the Integrated Goods and Services Tax Act, 2017 and the State Goods and Services Tax Acts enacted by respective states, in terms of Article 12 of the Power Purchase Agreement dated 2.8.2016 between the Petitioner and SECI.

Petitioner : Solitaire Powertech Private Limited (SPPL)

Respondent : Solar Energy Corporation of India Limited (SECI)

Date of hearing : 16.5.2019

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

Parties present : Shri Nitish Gupta, Advocate, SPPL
Ms. Himangini Mehta, Advocate, SPPL
Ms. Poorva Saigal, Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed *inter-alia* for seeking approval of 'Change in Law' and consequential relief to compensate for the increase in capital cost due to introduction of the Central Goods and Services Tax Act, 2017, the Integrated Goods and Services Tax Act, 2017 and the State Goods and Services Tax Acts enacted by respective states in terms of Article 12 of the PPA dated 2.8.2016. Learned counsel for the Petitioner requested to issue notice to the Respondent.

2. Learned counsel for SECI accepted the notice and submitted that the distribution companies should be made parties to the petition.

3. After hearing the learned counsels for the Petitioner and SECI, the Commission admitted the Petition and directed to issue notice to the Respondent.

4. The Commission directed SECI to submit the list of distribution companies to whom power would be supplied by the Petitioner. The Commission directed the Petitioner to implead the distribution companies as parties to the Petition and to file revised memo of parties by 30.5.2019.

5. The Commission directed the Petitioner to serve copy of the Petition and the RoP on the Respondent and the distribution companies immediately. The Respondent including distribution companies were directed to file their replies by, by 6.6.2019, with an

advance copy to the Petitioner, who may file its rejoinder, if any, by 20.6.2019. The Commission directed that due date of filing the reply and rejoinder should be strictly complied with. No extension shall be granted on that account.

6. The Petition shall be listed for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

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