

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 63/MP/2019

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 *inter-alia* seeking recovery of Capacity Charges/ Damages under the Power Purchase Agreements dated 1.11.2013 entered into between the Petitioner and the Respondents.

Petitioner : DB Power Limited (DBPL)

Respondents : Rajasthan Urja Vikas Nigam Limited and Others

Date of Hearing : 4.6.2019

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

Parties present : Shri Abhishek Bansal, Advocate, DBPL
Shri Tejasv Anand, Advocate, DBPL
Ms. Swapna Seshadri, Advocate, Rajasthan Discoms
Shri Ashwin Ramanathan, Advocate, Rajasthan Discoms

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* for seeking recovery of capacity charges/ damages under the PPA dated 1.11.2013 which is calculated on Normative Availability of Contracted Capacity of the period commencing from 30.11.2016 to 31.7.2018 alongwith interest at the rate of 18% p.a. Learned counsel requested the Commission to issue notice to the Respondents.

2. Learned counsel for Rajasthan Discoms accepted the notice and requested for four weeks time to file reply to the Petition.

3. After hearing the learned counsels for the Petitioner and RUVNL, 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 immediately, if not served already. The Respondents were directed to file their replies by 2.7.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 16.7.2019. 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.

5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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