

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 366/MP/2019

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 and Article 10 of the Power Purchase Agreements both dated 1.11.2013 entered into between the Petitioner and the Respondents, seeking approval of the cost to be incurred by the Petitioner on account of change in law, for installation/retrofit of Electrostatic Precipitators(ESP), installation of Flue Gas Desulphurisation (FGD), installation of low NOx burners, providing Over Fire Air (OFA) and any other measures for compliance of the notification dated 7.12.2015 issued by the Ministry of Environment, Forests and Climate Change, Government of India in respect of Thermal Power Plants installed/commissioned after 1.1.2003 and before 31.12.2016.

Petitioner : DB Power Limited (DBPL)

Respondents : Rajasthan Urja Vikas Nigam Limited (RUVNL) & Ors.

Petition No. 377/MP/2019

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 and Article 10 of the Power Purchase Agreement dated 19.8.2013 entered into between the Petitioner and the Respondents, seeking approval of the cost to be incurred by the Petitioner on account of change in law, for installation/retrofit of Electrostatic Precipitators (ESP), installation of Flue Gas Desulphurisation (FGD), installation of low NOx burners, providing Over Fire Air (OFA) and any other measures for compliance of the notification dated 7.12.2015 issued by the Ministry of Environment, Forests and Climate Change, Government of India in respect of Thermal Power Plants installed/commissioned after 1.1.2003 and before 31.12.2016.

Petitioner : DB Power Limited (DBPL)

Respondents : Tamil Nadu Generation and Distribution Corporation (TANGEDCO) & Ors.

Date of Hearing : 27.2.2020

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

Parties Present : Shri Tejasv Anand, Advocate, DBPL
Shri Ravi Kishore, Advocate, PTC
Shri Anand K. Ganeshan, Advocate, RUVNL



Ms. Swapna Seshadri, Advocate, RUVNL
Shri Damodar Solanki, Advocate, RUVNL
Shri S. Vallinayagam, Advocate, TANGEDCO
Ms. J. Kiran, Advocate, TANGEDCO

Record of Proceedings

At the outset, the learned counsel for the Respondent, TANGEDCO in Petition No.377/MP/2019 sought additional time to file its reply.

2. Learned counsel for the Respondent, Rajasthan Discoms submitted that the Rajasthan Discoms have filed additional affidavit on 25.2.2020 in Petition No. 366/MP/2019.

3. After hearing the learned counsels for the parties, the Commission granted the Respondent, TANGEDCO, the last opportunity to file its reply by 13.3.2020 with an advance copy to the Petitioner, who may file its rejoinder, if any, by 20.3.2020. The Commission directed the Petitioner to file its response to the additional affidavit filed by Rajasthan Discoms in Petition No. 366/MP/2019, by 13.3.2020.

4. The Commission directed the Petitioner to file the following information on affidavit by 13.3.2020:

- (a) Upfront allocation of fund for the environmental protection measure at the inception of the Project as per sub-clause (xvii) of Clause B: General Conditions of environment clearance dated 16.9.2010;
- (b) Details of cost estimates submitted to the lender(s) for financial closure of the Project; and
- (c) Justification for the selection of technology for abatement of NO_x emission and its associated claimed cost.

5. The Commission directed that due date of filing the reply, rejoinder and information should be strictly complied with. No further extension shall be granted on that account.

6. The Petitions 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 (Legal)**

