

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 427/MP/2019

Subject : Petition under Section 79(1)(f) read with Section 79(1)(k) of the Electricity Act, 2003 seeking indulgence of the Commission to direct NTPC Vidyut Vyapar Nigam Limited to extend the SCOD of the Generation Project based on the Notifications dated 2.11.2011, 9.1.2013, 3.1.2014 and 17.12.2014 issued by Government of Andhra Pradesh, where under, the government has notified the project area as drought affected area for the period June 2011-September 2011, June 2012 - September 2012, June 2013 - September 2013 and June 2014 - September 2014.

Petitioner : Megha Engineering & Infrastructures Limited (MEIL)

Respondents : NTPC Vidyut Vyapar Nigam Limited (NVVNL) & Ors.

Date of Hearing : 5.3.2020

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

Parties present : Shri Nishant Talwar, Advocate, MEIL
Shri N. M. Venugopal, MEIL
Ms. Poorva Saigal, Advocate, NVVNL
Ms. Tanya Sareen, Advocate, NVVNL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed pursuant to the liberty granted by the Commission vide Record of Proceedings for hearing dated 24.9.2019 in Petition No. 100/MP/2018, *inter-alia*, seeking extension of Scheduled Commercial Operation Date of its generating station on the basis that the Project area where the generating station is situated has been declared as drought affected area by the Government of Andhra Pradesh vide its Notifications dated 2.11.2011, 9.1.2013, 3.1.2014, and 17.12.2014 for the period June, 2011-September, 2011, June, 2012-September, 2012, June, 2013-September, 2013 and June, 2014- September, 2014 respectively.

2. Learned counsel for the Petitioner further submitted that the Commission, in its order dated 20.1.2020 in Petition No. 100/MP/2018, has directed the Respondents not to encash the performance Bank Guarantee till the disposal of the present Petition and has also directed the Petitioner to keep the Performance Bank Guarantee valid. Learned counsel submitted that since the Bank Guarantee is coming up for renewal in April, 2020, the Commission may take up the matter in this month.



3. Learned counsel for the Respondent, NTPC Vidyut Vyapar Nigam Limited (NVVNL) accepted the notice and requested four weeks' time to file the reply.
4. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents. The Commission further directed the Petitioner to keep the Bank Guarantee valid till the disposal of the present Petition.
5. 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 24.3.2020, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 31.3.2020. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with.
6. The Petition shall be listed for hearing in the month of April, 2020 for which separate notice shall be issued.

By order of the Commission
Sd/-
(T.D. Pant)
Deputy Chief (Legal)

