

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 465/MP/2019**

Subject : Petition under Section 79(1)(f) read with Section 79(1)(b) of the Electricity Act, 2003 seeking declaration of the events which led to relinquishment by the Petitioner, as force majeure events within the meaning of Clause 9.0 of BPTA, seeking relinquishment of LTOA of 96 MW granted to it without any liability thereof, thereby seeking exemption from payment of relinquishment charges as a consequence of existence of force majeure events, as opposed to the stand taken by PGCIL in its letter dated 9.1.2019.

Petitioner : Madhya Bharat Power Corporation Limited (MBPCL)

Respondent : Power Grid Corporation of India Limited (PGCIL).

Date of Hearing : 23.6.2020

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

Parties present : Shri Matrugupta Mishra, Advocate, MBPCL  
Shri Samyak Mishra, Advocate, MBPCL  
Shri P. S. Dutta, MBPCL

**Record of Proceedings**

The matter was listed for hearing through video conferencing.

2. Learned counsel for the Petitioner submitted that the instant Petition has been filed, *inter-alia*, seeking declaration of various events that led to relinquishment of 96 MW of Long-Term Access as force majeure events in terms of Clause 9 of the Bulk Power Transmission Agreement dated 24.2.2010 and exemption from payment of relinquishment charges as a consequence thereof as opposed to the stand taken by the Respondent, PGCIL, in its letter dated 9.1.2019. Learned counsel submitted that the Petitioner has applied for new LTA of commensurate capacity last week. Learned counsel requested to issue notice to the Respondent.

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

4. The Commission directed the Petitioner to serve copy of the Petition on the Respondent immediately, if not already served. The Respondent was directed to file its reply by 20.7.2020 with advance copy to the Petitioner who may file its rejoinder, if any, by 5.8.2020.



5. The Commission further directed the Petitioner to submit on affidavit by 17.7.2020, copy of the fresh LTA application and LTA granted by CTU, if any.
6. The due date of filing of reply, rejoinder and information should be strictly complied with.
7. 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)**

