

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 453/MP/2019

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12 of the Transmission Service Agreement dated 24.6.2015 entered into between the Petitioner and the Respondents seeking Change in Law compensation.

Date of Hearing : 15.4.2021

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

Petitioner : Sipat Transmission Limited (STL)

Respondents : Maharashtra State Electricity Distribution Company Limited (MSEDCL) and 6 Ors.

Parties Present : Shri Sourav Roy, Advocate, STL
Shri Pabudh Singh, Advocate, STL
Shri Shashwat Kumar, Advocate, MSEDCL
Shri Rahul Chouhan, Advocate, MSEDCL
Shri Bhavesh Kundalia, STL
Shri Afak Pothiawala, STL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner made extensive arguments on the various change in law claims and carrying cost as pleaded in the Petition and in support of his contentions, he relied upon the provisions of the Transmission Service Agreement and the orders/ decisions of this Commission, the Appellate Tribunal for Electricity and the Hon'ble Supreme Court.

3. Learned counsel for the Respondent, MSEDCL made detailed submissions relying on his pleadings.

3. In response to the specific query of the Commission regarding Custom Duty on primary aluminium products and nature of the transaction involved, learned counsel for the Petitioner submitted that the Petitioner has been impacted by the increase in Basic Custom Duty on the import of aluminium ingots. It was further submitted that these imports have been done in the name of the Petitioner itself, which were then given to the supplier/ manufacturer to convert them into the conductors.

4. Based on the requests of learned counsels, the Commission directed the Petitioner and the Respondent, MSEDCL to file their respective written submissions within a week with copy to each other.

5. Subject to the above, the Commission reserved order in the matter.

By order of the Commission

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