

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 533/MP/2020

- Subject : Petition invoking Section 79(1)(d) and (f) of the Electricity Act, 2003 read with Regulation 5(3) of the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2010 seeking compensation/relief for increased construction cost due to certain events of Change in Law as per the applicable provisions of Transmission Service Agreement dated 24.6.2015.
- Date of Hearing : 6.10.2021
- Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Raipur-Rajnandgaon-Warora Transmission Limited (RRWTL)
- Respondents : Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) and 9 Others
- Parties Present : Shri Amit Kapur, Advocate, RRWTL
Ms. Poonam Verma, Advocate, RRWTL
Ms. Aparajita Upadhyay, Advocate, RRWTL
Ms. Sakshi Kapoor, Advocate, RRWTL
Ms. Gayatri Aryan, Advocate, RRWTL
Shri Ravi Sharma, Advocate, MPPMCL
Shri Rahul Sinha, Advocate, MSEDCL
Shri Bhavesh Kundalia, RRWTL
Shri Anindya Khare, MPPMCL

Record of Proceedings

Case was called out for virtual hearing.

2. At the outset, the learned counsel for the Respondent, MSEDCL submitted that the Change in Law events claimed by the Petitioner in the present case have already been considered by the Commission in its various orders including in the recent order dated 16.6.2021 in Petition No. 453/MP/2019 (Sipat Transmission Ltd. v. MSEDCL and Ors.). However, for the purpose of verification of Change in Law claims, the Petitioner is required to submit the chartered accountant certificates along with certain supporting documents. Accordingly, the learned counsel suggested that the Respondent may be permitted to call for such additional requisite details by way of a letter and thereafter, be permitted two weeks' time from receipt of such details from the Petitioner to reconcile the claims and to file its response thereon.

3. The learned counsel for the Petitioner submitted that the Petitioner has no objection to the request of the learned counsel for the Respondent, MSEDCL.

However, the Petitioner has already furnished the chartered accountant certificate along with the various documents in support of its claims, which may be taken into account prior to seeking any additional details.

4. The learned counsel for the Respondent, MP Power Management Company Limited ('MPPMCL'), objected to the maintainability of the Petition on ground of it being time barred. The learned counsel referred to the reply filed by MPPMCL and made detailed submissions on the issue of maintainability of the Petition.

5. In response, the learned counsel for the Petitioner, referring to his note of arguments made detailed submissions refuting the contention that the Petition is time barred. The learned counsel sought liberty to file note of arguments.

6. After hearing the learned counsels for the Respondent, MPPMCL and the Petitioner on the issue of limitation, the Commission reserved the order on the maintainability of the Petition. The Commission permitted the Petitioner to file his note of arguments within two days with copy to the Respondents.

7. The Commission also permitted the Respondent, MSEDCL to call for the requisite details/ information from the Petitioner after taking into account the details/ information already furnished along with the Petition by way of a letter within a period of two days and the Petitioner to provide all such details/ information, wherever possible, within a week. The Respondent, MSEDCL was further directed to complete the reconciliation process and to file its response thereon within a period of two weeks thereafter.

By order of the Commission

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