

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 560/MP/2020

Subject : Petition under Section 79(1) (b) and (f) of the Electricity Act, 2003 read with Article 10 of the Power Purchase Agreement dated 23.8.2013 and in terms of the liberty granted by the Commission in its order dated 13.12.2017 passed in Petition No. 189/MP/2016 for recovery of additional expenditure incurred due to occurrence of various Change in Law events.

Date of Hearing : 6.4.2021

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

Petitioner : Jindal Power Limited (JPL)

Respondent : Tamil Nadu Generation and Distribution Company Limited

Parties Present : Shri Venkatesh, Advocate, JPL
Shri Suhael Bhuttan, Advocate, JPL
Shri Abhishek Nangia, Advocate, JPL
Shri Souvik Khamrui, JPL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed pursuant to liberty granted by the Commission in its order dated 13.12.2017 in Petition No. 189/MP/2016 and for recovery of additional expenditure incurred by the Petitioner due to occurrence of certain Change in Law events, namely, (i) levy of excise duty on coal, (ii) levy of entry tax on coal, (iii) levy of service tax and (iv) levy of VAT/CST, along with carrying cost thereon.
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 30.4.2021 with advance copy to the Petitioner, who may file its rejoinder, if any, by 14.5.2021. The due date of filing of reply and rejoinder should be strictly complied with.
5. 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)
Joint Chief (Law)**