

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 179/MP/2019

Coram:

Shri P.K. Pujari, Chairperson

Shri I.S.Jha, Member

Shri Arun Goyal, Member

Shri P.K.Singh, Member

Date of Order: 27th September, 2021

In the matter of

Petition under Section 79 of the Electricity Act read with Article 13 of the PPA dated 22.04.2007 seeking appropriate directions from this Commission for adequately compensating Coastal Gujarat Power Limited (by adjustment in tariff or by prescribing any other appropriate compensatory mechanism) on account of increased transportation cost of fuel due to occurrence of Change in Law events.

And

In the matter of

Coastal Gujarat Power Limited,

C/o The Tata Power Company Limited,
34, Sant Tukaram Road, Carnac Bunder,
Mumbai - 400 009

.....**Petitioner**

Vs.

- 1. Gujarat Urja Vikas Nigam Limited,**
Sardar Patel Vidyut Bhavan, Race Course,
Vadodara – 390 007, Gujarat
- 2. Maharashtra State Electricity Distribution Company Limited,**
4th Floor, Prakashgad, Plot No. G-9, Bandra (East),
Mumbai-400 051, Maharashtra
- 3. Ajmer Vidyut Vitaran Nigam Limited,**
Hathi Bhata, Old Power House,
Ajmer, Rajasthan
- 4. Jaipur Vidyut Vitaran Nigam Limited,**
Vidyut Bhawan, Janpath,
Jaipur, Rajasthan

5. **Jodhpur Vidyut Vitaran Nigam Limited,**
New Power House, Industrial Area,
Jodhpur, Rajasthan
6. **Punjab State Power Corporation Limited,**
PP&R, Shed T-1, Thermal Design,
Patiala – 147 001
7. **Uttar Haryana Bijli Vitran Nigam Limited,**
Vidyut Sadan, Plot No.C-16, Sector 6,
Panchkula – 134 112, Haryana
8. **Dakshin Haryana Bijli Vitran Nigam Limited,**
Vidyut Nagar, Vidyut Sadan,
Hissar, Haryana- 125005
9. **Ministry of Shipping,**
Parivahan Bhavan,
1, Parliament Street,
New Delhi – 110 001

...Respondents

ORDER

The Petitioner, Coastal Gujarat Power Limited, has filed the present Petition with the following prayers:

“(a) Hold and declare that the events set-out hereinabove, leading to increased transportation cost of fuel and impacting revenues and/or costs of the Petitioner during the Operation Period, are Change in Law events;

(b) Declare that on occurrence and impact of the Change in Law Events, the Petitioner is to be compensated/ restituted/ restored through monthly tariff payments, to the same economic position as if such Change in Law events had not occurred;

(c) Devise a mechanism to retribute the Petitioner to the same economic position to mitigate the financial impact on account of increased transportation cost of fuel;

2. The learned counsel for the Petitioner, vide its letter dated 23.9.2021, has sought permission to withdraw the Petition with liberty to approach the Commission in future, if so requires.

3. The Petition is being decided by circulation.
4. In view of the submission of the learned counsel for the Petitioner, the Petitioner is permitted to withdraw the present petition.
5. The Petition No. 179/MP/2019 is disposed of as withdrawn.

**Sd/-
(P.K.Singh)
Member**

**sd/-
(Arun Goyal)
Member**

**sd/-
(I.S.Jha)
Member**

**sd/-
(P.K. Pujari)
Chairperson**