

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 110/MP/2019
along with IA No. 37/IA/2019, IA No. 53/IA/2019 & IA No. 29/IA/2020**

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for adjudication of disputes arising out of and in relation to the power purchase of 200 MW of power by Haryana Power Purchase Centre from Teesta-II Hydroelectric Project of Teesta Urja Limited through PTC India Limited.

Petitioners : PTC India Limited and Teesta Urja Limited.

Respondents : Haryana Power Purchase Committee & 3 ors

Date of Hearing : **13.1.2022**

Coram : Shri P.K. Pujari, Chairperson
Shri I.S. Jha, Member
Shri Pravas Kumar Singh, Member

Parties Present : Shri Ravi Kishore, Advocate, PTCIL
Ms. Purna Singh, PTCIL
Shri Ravi Shankar, PTCIL
Shri Tarun Johri, Advocate, TUL
Ms. Swati Jindal, TUL
Shri M.G Ramachandran, Senior Advocate, HPPC
Ms. Poorva Saigal, Advocate, HPPC
Shri Shubham Arya, Advocate, HPPC
Ms. Suparna Srivastava, Advocate, PGCIL
Shri Tushar Mathur, Advocate, PGCIL
Ms. Soumya Singh, Advocate, PGCIL

Record of Proceedings

Case was called out for virtual hearing.

2. During the hearing, the learned Senior counsel for the Respondent No.1, HPPC referred to the reply and made detailed oral submissions. He mainly submitted that the Respondent has terminated the PPA on account of time overrun and cost overrun, whereby the estimated project cost increased from Rs. 5,700 crore to Rs.13,965 crore. He added that the Petitioner has continued with the project only for the purpose of salvaging the financial institution or protecting the interest of the Government of Sikkim, but not to safeguard the interests of consumers.

3. In response, the learned counsel for the Petitioner No. 2, TUL objected to the submissions of the Respondent HPPC and submitted that the initial commercial bargain was not on a particular cost, as it was based on the normative tariff determined by this Commission. He also submitted that the Commission, while determining the tariff of the generating station, had considered the issue of time and cost overrun and allowed the same on prudence check.



4. The learned counsel for the Respondent, CTUIL made oral submissions in the matter. She also referred to letter dated 6.3.2019 addressed by CTUIL to the Petitioner PTC and submitted that since the Petitioner PTC is the LTA grantee and a signatory to the BPTA executed with the beneficiaries, the relinquishment charges are payable by the Petitioner PTC. In response, the learned counsel for the Petitioner PTC, referred to CTUIL letter dated 10.10.2018 confirming that Haryana utilities are liable to open Letter of Credit.

5. The Commission after hearing the parties, reserved its order in the petition.

By order of the Commission

Sd/-
(B. Sreekumar)
Joint Chief (Law

