

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 232/MP/2021

- Subject : Petition under Section 79(1)(f) read with Section 142 of the Electricity Act, 2003 in terms of the orders passed by this Commission vide order dated 9.10.2018 passed in Petition No. 232/MP/2017, Petition No. 233/MP/2017 & Petition No. 13/MP/2018, order dated 12.4.2019 passed in Petition No.209/MP/2018, order dated 27.3.2020 passed in Petition No. 395/MP/2018 and order dated 5.2.2019 passed in Petition No. 187/MP/2018, seeking recovery of the amount to the tune of Rs. 52 crore approximately from Distribution Companies of Telangana, paid by the Petitioner as an Intermediary Procurer to the various Solar Power Developers towards the Claim on account of the 'Change in Law' allowed by this Commission.
- Date of Hearing : 24.1.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : NTPC Limited (NTPC)
- Respondents : Northern Power Distribution Company of Telangana Limited and 7 Ors.
- Parties Present : Shri Venkatesh, Advocate, NTPC
Shri Jatin Ghuliani, Advocate, NTPC
Shri Aashwyn Singh, Advocate, NTPCL
Shri Shreshth Sharma, Advocate, ACME
Shri Avdesh Mandloi , Advocate, ACME
Shri Ishpaul Uppal, NTPC

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed for invoking regulatory jurisdiction of the Commission under Section 79(1)(f) read with Section 142 of the Electricity Act, 2003, *inter alia*, seeking necessary direction upon Respondents 1 & 2, Telangana Discoms, in terms of various orders passed by the Commission, wherein the Commission had upheld the promulgation of GST w.e.f. 1.7.2017 as Change in Law event and consequent thereto Telangana Discoms are under mandatory legal obligations to reimburse to the Petitioner the amount determined by the Solar Power Developers and paid by the Petitioner as an intermediary procurer towards the claim of Change in Law compensation, on back-to-back basis.

3. After hearing the learned counsel for the Petitioner, the Commission ordered as under:



- (a) Admit. Issue notice to the Respondents.
- (b) The Petitioner to serve copy of the Petition on the Respondents immediately, if not already served and the Respondents to file their reply, if any, by 16.2.2022 after serving copy of the same to the Petitioner, who may file its rejoinder, if any, by 11.3.2022;
- (c) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.

4. 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)**