

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 277/MP/2019

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for adjudication of dispute arising out of the action of Power Grid Corporation of India in revoking the Long-term Open Access granted to the Petitioner for evacuation of 300 MW power from its Wind Power Project on account of delay in submission of Bank Guarantee as required under the Long Term Access Agreement dated 23.2.2019.

Date of Hearing : 15.2.2022

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

Petitioner : Sitac Kabini Renewables Private Limited (SKRPL)

Respondent : Power Grid Corporation of India Limited (PGCIL)

Parties Present : Ms. Mazag Andrabi, Advocate, SKRPL
Ms. Anjana Sharma, Advocate, SKRPL
Ms. Suparna Srivastava, Advocate, CTUIL
Shri Tushar Mathur, Advocate, CTUIL
Ms. Soumya Singh, Advocate, CTUIL

Record of Proceedings

Case was called out for virtual hearing.

2. At the outset, learned counsel for the Petitioner submitted that subsequent to listing of the matter on 31.10.2019, there have been certain subsequent developments in the matter and, accordingly, the Petitioner may be permitted to file an IA to bring on record such subsequent developments and the additional documents.

3. Learned counsel for the Respondent submitted that the Respondent has no objection towards the request of the Petitioner to bring on record the subsequent events/ developments. Learned counsel, however, submitted that as per the Petitioner's rejoinder and in view of its subsequent application and grant of LTA, only one prayer seeking refund of Application Bank Guarantee of Rs. 30 lakh survives for consideration. She further added that if the subsequent developments as sought to bring on record by the Petitioner relate to the Petitioner's second/ subsequent application, grant of LTA and issues thereof, if any, then it may constitute separate cause of action requiring filing of separate Petition.

4. Considering the submissions made by the learned counsel for the parties, the Commission permitted the Petitioner to file IA to bring on record the subsequent developments and additional documents within two weeks with copy to the Respondent, who may file its response thereon, if any, within two weeks thereafter.

5. The Petition and IA to be filed by the Petitioner 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)**