

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

Petition No. 300/MP/2018

- Subject** : Petition under Sections 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 read with Regulation 14(3)(ii) and Regulation 8(3)(ii) of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2014 and read with statutory framework governing procurement of power through Competitive Bidding and Article 10 and 13 of the respective Power Purchase Agreements, executed between GMR Kamalanga Energy Limited and its beneficiaries, seeking compensation on account of Change in Law events impacting revenues and costs during the Operating Period
- Petitioner** : GMR Kamalanga Energy Limited & Anr.
- Respondents** : Bihar State Power (Holding) Company Ltd. (BDPHCL) & ors.

Petition No.301/MP/2018

- Subject** : Petition under Section 79 (1) (b) and (f) of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Article 10 of the Power Purchase Agreements dated 17.3.2010, 21.3.2013 and 27.11.2013 executed between GMR Warora Energy Limited and the Procurers for compensation due to Change in Law impacting revenues and costs during the Operating Period.
- Petitioner** : GMR Warora Energy Limited
- Respondents** : Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) & ors.
- Date of Hearing** : 11.1.2022
- Coram** : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P.K. Singh, Member
- Petitioner** : GMR Kamalanga Energy Limited & Anr.
- Respondents** : Bihar State Power (Holding) Company Ltd. (BDPHCL) & ors.



Parties Present : Shri Venkatesh, Advocate, GMR
Shri Ashutosh K. Srivastava, Advocate, GMR
Shri. Abhishek Nangia, Advocate, GMR
Ms. Anushree Bardhan, Advocate, BSPHCL
Shri Shubham Arya, Advocate, HPPC
Ms. Poorva Saigal, Advocate, HPPC
Ms. Tanya Sareen, Advocate, HPPC
Shri Ravi Kishore, Advocate, PTC
Shri R.K Mehta, Senior Advocate, GRIDCO
Ms. Himanshi Andley, Advocate, GRIDCO
Shri Anand K. Ganesan, Advocate, DNHPDCL
Shri Swapna Seshadri, Advocate, DNHPDCL
Shri Ashwin Ramanathan, Advocate, DNHPDCL
Shri Gopal Jain, Senior Advocate, MSEDCL
Shri Anup Jain, Advocate, MSEDCL
Ms. Anusha Nagarajan, Advocate, TANGEDCO
Ms. Aakanksha Bhola, Advocate, TANGEDCO
Shri A. K. Maini, GMR
Shri Dinesh H. Agarwal, MSEDCL
Shri Karan Yambem, GMR
Shri. Abani Mishra, GMR
Ms. Preeti Kumari, BSPHCL
Shri Sukanta Panda, GRIDCO
Ms. Susmita Mohanty, GRIDCO
Shri Mahfooz Alam, GRIDCO

Record of Proceedings

Cases were called out for virtual hearing.

2. The learned counsel for the Petitioner submitted that the bidding process for installation of FGD system is still in the final stages and has not been completed and that it may take couple of months more. He further submitted that the Petitioner will move an application for listing of the petitions once the bidding process is completed. Accordingly, he requested to adjourn the matters.

3. Learned counsel appearing on behalf of GRIDCO in Petition No. 300/MP/2018 requested to place on record a note seeking information from the Petitioner. Learned counsel appearing on behalf of MSEDCL in Petition No. 301/MP/2018 sought time to file reply to the petition.

4. The Commission observed that the petition is pending since 2018 and still the process of award of contracts has not been completed. It may take a few more months to complete the finalisation of bids and award of contracts and no purpose would be served by keeping the petition pending any further. Therefore, the Commission decided that the petitions have



to be disposed of and the Petitioner should file a fresh petition when the contracts are awarded. The Commission observed that filing fee paid towards the instant petition will be adjusted. A separate order disposing of the petitions will be issued.

By order of the Commission

sd/-
(V. Sreenivas)
Joint Chief (Law)

