

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.471/MP/2019 along with IA No. 60/2020

- Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12 of the Power Purchase Agreements dated 28.06.2016 and 04.01.2017, executed between Tata Power Renewable Energy Limited and NTPC Ltd., for seeking compensation on account of Change in Law events viz. introduction/ enactment of Central and State Specific Laws for implementing Goods & Services Tax.
- Date of Hearing : 14.7.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Tata Power Renewable Energy Limited (TPREL)
- Respondents : NTPC Limited (NTPC) and 5 Ors.
- Parties Present : Shri Kunal Kaul, Advocate, TPREL
Shri Samikrith Rao, Advocate, TPREL
Shri Venkatesh, Advocate, NTPC
Shri Abhishek Nangia, Advocate, NTPC
Shri Ashutosh K Srivastava, Advocate, NTPC
Shri Jayant Bajaj, Advocate, BTPC
Shri Anand Sagar Padney, NTPC
Ms. Swapna Seshadri, Advocate, Karnataka Discoms
Shri Anand K Ganesan, Advocate, Karnataka Discoms
Ms. Ritu Apurva, Advocate, Karnataka Discoms

Record of Proceedings

Case was called out for virtual hearing.

2. At the outset, learned counsel for the Respondent Nos. 2 to 6, Karnataka Discoms sought time to file reply in the matter.
3. Learned counsel for the Petitioner submitted that the Petitioner does not have any objection to the aforesaid request of the learned counsel for the Respondent Nos. 2 to 6. Learned counsel pointed out that the Respondents had been impleaded in the matter way back in terms of the direction of the Commission vide Record of Proceedings for hearing dated 4.6.2020 and the Petitioner had served the copy of the Petition on the Respondents. However, the Respondents chose not to file any reply in the matter till date.
4. Learned counsel for the Respondent, NTPC submitted that NTPC has already filed its reply in the matter.

5. In response to the specific query of the Commission regarding NTPC having reconciled the Change in Law claims of the Petitioner, learned counsel of NTPC replied in negative. In this regard, learned counsel for the Petitioner requested the Commission to direct the Respondents to complete the reconciliation of the Petitioner's GST claims.

6. After hearing the learned counsel for the parties, the Commission directed the Respondents, Karnataka Discoms to file their reply within two weeks after serving copy to the Petitioner, who may file its rejoinder, if any, within two weeks thereafter. The Commission directed the parties to complete the reconciliation of the Petitioner's GST claims preferably within three weeks and in any case, prior to the next date of hearing in the matter.

7. 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)**