

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 500/MP/2020**

Subject : Petition under Sections 79(1)(a) and (f) of the Electricity Act, 2003 read with Article 10 of the Power Purchase Agreement dated 30.3.2016.

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 : M.P Power Management Company Limited (MPPMCL) and 3 Ors.

Parties Present : Shri Venkatesh, Advocate, NTPC  
Shri Ashutosh K Srivastava, Advocate, NTPC  
Shri Jayant Bajaj, Advocate, NTPC  
Shri Nitin Gaur, Advocate, MPPMCL  
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, *inter alia*, seeking (a) relief of Change in Law in terms of Article 10 of the Power Purchase Agreement dated 30.6.2016 executed between the Petitioner and MPPMCL, (b) refund of the charges illegally levied upon by the Respondent No.4, Madhya Pradesh Paschim Kshetra Vidyut Vitaran Co. Ltd. ('MPPKVVCL') for reactive power charges and (c) refund of charges illegally levied upon by MPPKVVCL for auxiliary consumption for the period from June, 2017 to October, 2017.

3. In response to the specific query of the Commission regarding applicability of the Electricity (Timely Recovery of Costs due to Change in Law) Rules, 2021 ('Change in Law Rules') in the present matter, the learned counsel for the Petitioner submitted that only a part of reliefs as prayed for by the Petitioner relates to Change in Law and that the matter also involves money claims as the Petitioner has prayed for refund of reactive power charges and auxiliary consumption charges illegally levied upon the Petitioner by the Respondent, MPPKVVCL, which cannot be dealt with under the Change in Law Rules.

4. Learned counsel for the Respondent, MPPMCL prayed for four weeks' time to file reply to the Petition.

5. Considering the request of the learned counsel for the Respondent, MPPMCL, the Commission permitted the Respondent to file its reply by 23.2.2022 with copy to the Petitioner, who may file its rejoinder, if any, on or before 11.3.2022.
6. 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)**