

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 533/MP/2020

- Subject : Petition under Section 79(1)(d) and (f) of the Electricity Act, 2003 read with Regulation 5(3) of the Central Electricity Regulatory Commission (Sharing of Inter- State Transmission Charges and Losses) Regulations, 2010 seeking compensation/relief for increased construction cost due to certain events of Change in Law as per the applicable provisions of Transmission Service Agreement dated 24.6.2015.
- Petitioner : Raipur- Rajnandgaon-Warora Transmission Limited (RRWTL)
- Respondents : Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) and 10 Ors.
- Date of Hearing : 17.5.2022
- Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Parties Present : Shri Amit Kapur, Advocate, RRWTL
Ms. Poonam Verma, Advocate, RRWTL
Ms. Aparajita Upadhyay, Advocate, RRWTL
Ms. Sakshi Kapoor, Advocate, RRWTL
Ms. Gayatri Aryan, Advocate, RRWTL
Shri Ravi Sharma, Advocate, MPPMCL
Shri Sahil Sood, Advocate, MSEDCL
Shri Rahul Sinha, Advocate, MSEDCL
Shri Pallav Mongia, Advocate, PGCIL
Shri Tushar Srivastava, Advocate, PGCIL
Shri Bhavesh Kundalia, RRWTL
Shri Anindya Khare, MPPMCL
Shri Prashant, PGCIL
Shri Chandrashekhar, PGCIL
Shri Arjun Malhotra, PGCIL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the order dated 22.12.2021 of the Commission disposing of the present Petition by applying the Electricity (Timely Recovery of Costs due to Change in Law) Rules, 2021 (in short, 'Change in Law Rules, 2021') has been set-aside by the Appellate Tribunal for Electricity ('APTEL') vide its judgment dated 5.4.2021 in Original Petition No.1 of 2022 and Ors. with a direction to the Commission to consider these Petitions on the merits of the claims and adjudicate in accordance with the law on dispute in proper exercise of its jurisdiction under Section 79 of the Electricity Act, 2003. Learned counsel further

submitted that the Commission vide Record of Proceedings for the hearing dated 9.5.2022 in the similarly placed matters has already observed that for the Petitions where the orders of the Commission have already been set aside by APTEL in paragraph 72 of the said judgment, there would be no need to pass any suo-motu order(s) and accordingly, the matter may be listed for hearing on merits.

3. Learned counsel for the Respondents, MPPMCL and MSEDCL sought liberty to file their written submissions and/or reply in the matter.

4. After hearing the learned counsel for the parties, the Commission permitted the Respondents to file their reply/written submissions within two weeks after serving copy to the Petitioner, who may file their rejoinder/written submissions on or before two weeks thereafter. The parties shall comply with the above directions within the specified timeline and no extension of time shall be granted.

5. 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)**