

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 73/MP/2022

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 inter alia seeking recovery of compensation from the Respondent for deviation from the scheduled power under the Power Purchase Agreement dated 7.3.2019 entered into between the Petitioner and the Respondent

Date of Hearing : 14.6.2022

Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Petitioner : DB Power Limited (DBPL)

Respondent : NTPC Vidyut Vyapar Nigam Limited (NVVNL)

Parties present : Shri Deepak Khurana, Advocate, DBPL
Shri Aswini Kumar Tak, Advocate, DBPL

Record of Proceedings

The case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed seeking direction to the Respondent, NVVNL to pay Rs. 7.82 crore against the invoices raised by the Petitioner and late payment surcharge of Rs. 1.87 crore as per the provisions of the PPA. Learned counsel for the Petitioner further prayed to direct the Respondent to pay the entire late payment surcharge at the rate of 15% as per clause 3.7 of the PPA. Learned counsel reiterated the submissions made in the Petition and requested to issue notice to the Respondent.

3. After hearing the learned counsel for the Petitioner, the Commission ordered as under:

(a) Admit. Issue notice to the Respondent.

(b) The Petitioner to serve copy of the Petition on the Respondent and the Respondent to file its reply within four weeks after serving copy of the same to the Petitioner, who may file its rejoinder within four weeks thereafter.

(c) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.



4. 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)**

