

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 83/MP/2019 along with IA Nos.59/2019 & 61/2019

Subject : Petition under Section 19 of the Electricity Act, 2003 seeking revocation of trading licence for breach of contractual obligations by allowing the source generator to sell the power in exchanges instead of supply to MSEDCL as per contract/LOI.

Petitioner : Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

Respondents : GMR Energy Trading Limited (GETL) and 4 Ors.

Petition No. 403/MP/2019 along with IA No.10/2020

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for seeking recovery of amount deducted by Maharashtra State Electricity Distribution Company Limited with respect to a tender being Tender Event No. MSEDCL/Short/18-19/ET/58 dated 5.7.2018.

Petitioner : GMR Energy Trading Limited and Anr.

Respondents : Maharashtra State Electricity Distribution Co. Ltd.

Petition No. 216/MP/2021

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for seeking recovery of amount deducted by Maharashtra State Electricity Distribution Company Limited with respect to a tender being Tender Event No. MSEDCL/Short/18-19/ET/58 dated 5.7.2018.

Petitioner : D. B Power Limited (DBPL)

Respondents : Maharashtra State Electricity Distribution Co. Ltd. and Anr.

Date of Hearing : 25.8.2022

Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Parties Present : sShri Gopal Jain, Sr. Advocate, MSEDCL
Shri Anup Jain, Advocate, MSEDCL
Shri Akshay Goel, Advocate, MSEDCL
Shri Sanjay Sen, Sr. Advocate, MPL
Shri Buddy Ranganadhan, Advocate, GETL & DBPL
Shri Vishrov Mukerjee, Advocate, GETL
Shri Hemant Singh, Advocate, GETL, DBPL & MPL



Shri Lakshyajit Singh Bagdwal, Advocate, GETL, DBPL & MPL
 Ms. Sindhuja Rastogi, Advocate, GETL, DBPL & MPL
 Ms. Alchi Thapliyal, Advocate, GETL & DBPL
 Shri Hemant Sahai, Advocate, TPTCL
 Shri Shreshth Sharma, Advocate, TPTCL
 Ms. Nehul Sharma, Advocate, TPTCL
 Shri Deepak Khurana, Advocate, DBPL
 Ms. Nishtha Wadhwa, Advocate, DBPL
 Ms. Swapna Sesahdri, Advocate, Sai Wardha
 Shri Anand K Ganesan, Advocate, Sai Wardha
 Shri Dinesh H Agarwal, MSEDCL

Record of Proceedings

Cases were called out for virtual hearing.

2. During the course of hearing, learned senior counsel for MSEDCL and the learned counsel for TPTCL, GETL, MPL, DBPL and Sai Wardha made their respective submissions in the matters.

3. Considering the request of the learned counsel for the parties, the Commission directed MSEDCL to file its written submissions in the matters including its clarifications on (i) delay in issuance of Letters of Intent and (ii) its claims towards total loss incurred due to non-supply and the amounts it has already recovered from the trading licensees by way of various deductions including through bank guarantees, within two weeks with copy to the other side, who may file their written submissions, if any, within two weeks thereafter.

4. The Commission further directed the parties to file the following information on affidavit within two weeks:

(a) In reference to clause 4 (ii) of NIT issued by MSEDCL, the GMR Energy Trading Ltd (GETL), Tata Power Trading Company Limited (TPTCL) and Manikaran Power Limited (MPL) shall furnish the copy of PPAs signed with the generating companies.

(b) GETL, TPTCL and MPL to furnish the action / measures taken against the generating companies for not supplying power to MSEDCL in violation of Lol and efforts made for arranging power from alternative sources of power.

(c) DB Power Limited and Sai Wardha Power Generation Limited to furnish the following day-wise details from 1.10.2018 to 15.11.2018 and 01.10.2018 to 31.10.2018 respectively (excel soft copy with formulae).

Date	Install ed capac ity (MW)	DC (MW)	Energy Schedu led by RLDC / SLDC (Units)	Actual Energy Genera ted (Units)	Coal Stock in (MTs)	Energy supplied in medium and long term (Units)	Energy supplied to (in short term) (Units)		Energy sold through exchange (Units)		Money received for energy sold in exchange (Rs Lakh)
							MSEDCL	Other Beneficiaries	DAM + TAM	Bilateral	

(d) GETL, TPTCL and MPL to furnish the details of energy sold by DB Power and Sai Wardha Power Limited in Power Exchange through them during the period from 1.10.2018 to 15.11.2018.

(e) MSEDCL to submit day-wise energy purchased from Power Exchange and the amount paid for the same for the period from 1.10.2018 to 15.11.2018.

5. Subject to the above, the Commission reserved the matters for order.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**