

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 174/MP/2019

Coram:

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

Date of Order: 28th January, 2022

In the matter of

Petition under Section 79(1)(b) and 79 (1)(f) of the Electricity Act, 2003 for claiming carrying cost/ interest on account of event pertaining to change in law allowed by this Commission vide order dated 27.0.2018 passed in Petition No. 126/MP/2016 read with the terms of Power Purchase Agreements dated 23.0.2013 (PPAs) executed between the Petitioner and the Respondent No. 1/ TANGEDCO.

And

In the matter of

Bharat Aluminium Company Limited (BALCO),
Balco Nagar,
Korba-495684, Chhattisgarh.

..Petitioner

Vs.

1. Tamil Nadu Generation and Distribution Corporation Ltd. (TANGEDCO),
NPKRR Maligai, 6th Floor,
Eastern Wing, 144, Anna Salai,
Chennai-600 002, Tamil Nadu

2. Kerala State Electricity Board (KSEB)
Vydyuthi Bhavanam,
Pattom, Thiruvananthapuram-695004
Kerala

..Respondents

Parties present:

Shri Hemant Singh, Advocate for the Petitioner
Shri Lakshyajit Singh, Advocate for the Petitioner
Ms. Anush Nagarajan, Advocate, TAGGEDCO

ORDER

The Petitioner, Bharat Aluminum Company Limited, has filed the present
Petition along with the following prayers:

*“(a) Approve and grant carrying cost from the effective date of Change in
Law events that have affected the Petitioner till the date of the order dated*

27.04.2018 passed in 126/MP/2016, at the rate as prayed for in the present Petition;

(b) Direct the Respondent No. 1/ TANGEDCO to make payment of the additional interest in terms of Article 8.4.3 of the PPA which is applicable due to delay in payment of the supplementary bills raised by the Petitioner towards carrying cost applicable on the change in law events allowed by this Hon'ble Commission; and

(c) In the interim, direct the Respondent No. 1 to release 80% of the outstanding amount towards carrying cost.”

2. The matter was heard on 24.1.2022 through video conferencing. During the course of hearing, the learned counsel for the Petitioner sought permission to withdraw the present Petition.

3. In view of the submission of the learned counsel, the Petitioner is permitted to withdraw this Petition.

4. Accordingly, the Petition No. 174/MP/2019 is disposed of as withdrawn.

Sd/-
(P.K.Singh)
Member

sd/-
(Arun Goyal)
Member

sd/-
(I.S. Jha)
Member