

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.219/MP/2023**

- Subject : Petition under Section 79 (1) (a) of the Electricity Act, 2003 read with Article 10 of the Power Usage Agreements executed between NTPC Ltd. and Telangana State Distribution Companies Limited, seeking compensation due to increase in costs on account of change in rate of Goods & Services Tax as well as increase in basic custom duty amounting to a Change in Law event with respect to the 7 Solar PV Power Project having Project capacity of totalling to 1616 MW under CPSU scheme phase-II tranche-I & II and the tariff was adopted by CERC vide order dated 13.12.2021 in Petition no 174/AT/2021.
- Date of Hearing : **22.9.2023**
- Coram : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : NTPC Green Energy Limited (NGEL)
- Respondents : Telangana Sate Southern Power Distribution Co. Ltd. and 2 Ors.
- Parties Present : Shri Adarsh Tripathi, Advocate for the Petitioner

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking compensation due to an increase in costs on account of the change in the rate of Goods & Services Tax as well as an increase in Basic Custom Duty, amounting to a Change in Law events under Article 10 of the Power Usage Agreements as entered into between the Petitioner and the Respondents, Telangana Discoms, with respect to the 7 Solar PV Power Project having a Project capacity of 1616 MW under the CPSU Scheme Phase-II Tranche-I & II. Learned counsel submitted that the Petitioner vide its various letters, requested the Respondents to compensate on account of the aforesaid Change in Law events. However, the Respondents have not responded to such communications till date.

2. Considering the submissions made by the learned counsel for the Petitioner, the Commission directed as under:

- (a) Admit. Issue notice to the Respondents.
- (b) The Respondents to file their replies to the Petition, if any, within four weeks with a copy to the Petitioner, who may file its rejoinder, within two weeks thereafter.

3. The Petition will be listed for hearing on **5.1.2024**.

**By order of the Commission**

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