

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.225/MP/2023**

- Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 11 and Article 12 of the Transmission Service Agreement dated 23.10.2019 executed between Jam Khambaliya Transco Limited and Powerica Limited seeking extension of SCOD due to Force Majeure events and consequential relief to offset the adverse effect of the Force Majeure events and Change in Law events.
- Date of Hearing : **25.10.2023**
- Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : Jam Khambaliya Transco Limited (JKTL)
- Respondents : Powerica Limited and 2 Ors.
- Parties Present : Shri Amit Kapoor, Advocate, JKTL  
Shri Akshat Jain, Advocate, JKTL  
Shri Aditya Dubey, Advocate, JKTL  
Shri Venkatesh, Advocate, Powerica  
Shri Ashutosh Srivastava, Advocate, Powerica  
Shri Nihal Bhardwaj, Advocate, Powerica  
Shri Kartikay Trivedi, Advocate, Powerica  
Shri Ishan Chopra, Powerica

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking an extension of the Scheduled Commercial Operation Date of its Transmission Project due to various events of Force Majeure and compensation/appropriate relief to offset the adverse effect of the Force Majeure and Change in Law events including the Interest During Construction (IDC), Incidental Expenditure During Construction (IEDC), Commodity Price Variation, and Loss of Tariff for the period of delay on account of such Force Majeure events.

2. Learned counsel for Respondent No.1 accepted the notice and sought time to file a reply to the Petition.
3. After hearing the learned counsel for the Petitioner and Respondent No.1, the Commission ordered as under:
  - (a) Admit. Issue notice to the Respondents.

(b) The Respondents to file their reply to the Petition, if any, within six weeks with a copy to the Petitioner, who may file its rejoinder, within four weeks thereafter.

(c) The Commission directed the Petitioner to file the following information on an affidavit within four weeks:

(i) A copy of the RLDC trial operation certificate in respect of all the transmission elements of the subject transmission System.

(ii) A Schematic diagram of the project clearly indicating the inter-connecting transmission systems.

(iii) Reasons for declaration of the deemed COD of all the elements of the Transmission Project covered under the instant petition.

(iv) The information w.r.t. Force Majeure events and Change in Law events, as per the following below along with supporting documents:

**Summary of Force Majeure/ Change in Law events**

S. No.	Particulars of the Activity/ Force Majeure/ Change in Law event	Original time line as per plan of licensee for the activity		Actual Time line for the activity		Effective delay (excluding the time period planned to execute the event) due to FM event	Date of serving the notice to LTTC
		From	To	From	To		

4. The Petition will be listed for hearing on **13.3.2024**.

**By order of the Commission**  
**Sd/-**  
**(T.D. Pant)**  
**Joint Chief (Law)**