

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.239/MP/2021 along with IA No.47/2023

- Subject : Petition under Sections 61, 63 and 79 of the Electricity Act, 2003 read with the statutory framework and Article 11 and Article 12 of the Transmission Service Agreement dated 28.6.2017 executed between Goa Tamnar Transmission Project Limited and its Long-Term Transmission Customers inter alia claiming compensation due to change in law events and force majeure events, extension of the scheduled commissioning date of the transmission project on account of force majeure events adversely impacting its implementation and seeking appropriate directions.
- Date of Hearing : **11.10.2023**
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Goa Tamnar Transmission Project Limited (GTTPL)
- Respondents : Maharashtra State Electricity Distribution Co. Ltd. and 10 Ors.
- Parties Present : Ms. Harneet Kaur, Advocate, GTTPL
Shri Anup Jain, Advocate, MSEDCL
Shri Vyom Chaturvedi, Advocate, MSEDCL
Ms. Nishtha Goel, Advocate, MSEDCL

Record of Proceedings

At the outset, the learned counsel for the Petitioner submitted that the Commission vide Record of Proceedings for the hearing dated 5.7.2023 had granted the liberty to the Petitioner to file an IA for incorporating the amendment(s) to the Petition. Learned counsel, however, submitted that certain aspects of its Change in Law and/or force majeure claims are directly related to the decision of the Hon'ble Supreme Court in IA No.100099/2021 moved by the Petitioner in Civil Appeal No. 12234-35 of 2018 (Goa Foundation v. State of Goa & Ors.). She added that since aspects involved therein are likely to be resolved in the near future, the Petitioner may be permitted to file an additional affidavit after three weeks with an IA linking incorporating these developments.

2. Considering the request of the learned counsel for the Petitioner, the Commission adjourned the matter and permitted the Petitioner an additional three weeks to file an application for amendment to the Petition which shall be dealt with in accordance with the law.

3. The Commission directed the Petitioner to file the following information on an affidavit within three weeks:

(a) Current status of all the transmission elements of the transmission project.

(b) Approved original route map as per Section 164 of the Electricity Act, 2003, and route map after incorporating the Central Empowered Committee (CEC) recommendations for “LILo of one ckt. of Narendra (existing) - Narendra (New) 400 kV D/c quad line at Xeldem (NN line)”, and line length in both cases.

(c) Summary of Force Majeure and Change in Law events in the following format:-

Summary of Force Majeure events:

Summary of Force Majeure Events							
S. No.	Particulars of the Activity/ Force Majeure 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 the FM event	Date of serving the notice to LTTC
		From	To	From	To		

Summary of Change in Law events:

S. No.	Particulars of the Change in Law event	Date of occurrence of Change in Law event	Date by which notice was required to be served to LTTCs as per TSA	Date of serving the notice to LTTCs

3. **The Petition and IA to be filed will be listed for hearing on 22.12.2023.**

By order of the Commission

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