

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 331/MP/2022

Subject : Petition under section 79(1)(b) of the Electricity Act, 2003 seeking approval of the secondary supplementary PPA dated 10.2.2022 executed between Petitioner and DVC as well as seeking approval to sign and execute supplementary /amendment PPAs with KSEB, TPDDL and TPTCL for supply to WBSEDCL to pass on the benefits of rationalized coal linkage to the distribution companies.

Petitioner : Maithon Power Ltd.

Respondent : WBSEDCL and 4 Ors.

Date of Hearing : **8.6.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present: Shri Ashutosh K Srivastava, Advocate, MPL
Shri Jatin Ghuliani, Advocate, MPL
Shri Anand Kumar Srivastava, Advocate, TPDDL
Ms. Ishita Jain, Advocate, TPDDL

Record of Proceedings

During the hearing, the learned counsel for the Petitioner submitted mainly as under:

- (i) In compliance to the ROP dated 14.3.2023, the Petitioner has filed additional affidavit furnishing the details/clarifications pertaining to the tariff before and after coal rationalization scheme for each beneficiary and the correspondences of the Petitioner with the beneficiaries with regard to the signing of supplementary PPA.
- (ii) While DVC has signed the supplementary PPA, TPDDL has given its consent and has also filed application before DERC for approval of the supplementary PPA.
- (iii) The Respondent/beneficiaries, WBSEDCL and KSEBL vide their letters have sought certain clarifications from the Petitioner, and the same was responded to by the Petitioner. However, there has been no further response from these beneficiaries, till date. These Respondents have also not filed any reply in the matter.
- (iv) The terms and conditions in the supplementary PPA to be executed by the Petitioner are common to all the Respondent/beneficiaries.



- (v) The Commission vide its order dated 7.9.2022 in Petition No. 186/MP/2022 (Jhajjar Power Ltd. Vs. UHBVNL & ors) had granted deemed approval of the supplementary PPA. Since the present proposal is in public interest, the Commission may grant deemed approval of the supplementary PPA.

2. After hearing the parties, the Commission directed the Petitioner to file the following information, on affidavit before **10.7.2023**, after serving copy to the Respondents:

Petitioner

- (i) *The details regarding the validity period of the coal rationalization offered by Coal India Ltd. which was around 2 years back i.e. July, 2021;*
- (ii) *The details of the communication made with Respondents after August, 2021, regarding the subject coal rationalization and signing of supplementary PPAs;*
- (iii) *The Petitioner in the original Petition had submitted that the saving due to coal rationalization indicated was 18 paise/kWh. However, in the additional affidavit dated 6.4.2023 furnished in response to certain queries the saving was indicated as 1.8 paise/kWh, along with computation. The Petitioner shall furnish detailed reasons for such discrepancy and the final envisaged saving on account of subject coal rationalization as per the methodology prescribed by CIL and parameters considered thereof.*

Respondents

- (iv) *Respondents KSEBL and WBSEDCL shall indicate their stand/views on the proposal of the Petitioner for execution of the supplementary PPA.*

3. The Respondents are permitted to file their replies, on or before **17.7.2023**, after serving copy on the Petitioner, who may, file its rejoinder, if any, by **24.7.2023**. The parties shall complete the pleadings in the matter, within the due dates mentioned.

4. The Petition shall be listed for hearing on **28.7.2023**.

By order of the Commission

Sd/-

(B. Sreekumar)
Joint Chief (Law)

