

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.40/MP/2023

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12.2 and Article 16.3.1 of the Power Purchase Agreement dated 21.1.2020 for the development of 300 MW ISTS connected Wind-Solar Hybrid power project, entered between Adani Hybrid Energy Jaisalmer Two Limited (earlier known as Adani Green Energy Seven Limited, an SPV of Adani Renewable Energy Park (Gujarat) Limited) and Solar Energy Corporation of India Ltd. seeking reliefs for the additional expenditure incurred due to occurrence of Change in Law events.

Petitioners : Adani Hybrid Energy Jaisalmer Two Limited (AHEJTL)

Respondents : Solar Energy Corporation of India Limited (SECI) and Anr.

Petition No. 31/MP/2023

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12.2 and Article 16.3.1 of the Power Purchase Agreement dated 21.01.2020 for the development of 300 MW ISTS connected Wind-Solar Hybrid power project, entered between Adani Hybrid Energy Jaisalmer Three Limited (earlier known as Adani Green Energy Nine Limited, an SPV of Adani Renewable Energy Park (Gujarat) Limited) and Solar Energy Corporation of India Ltd. seeking reliefs for the additional expenditure incurred due to occurrence of Change in Law events.

Petitioner : Adani Hybrid Energy Jaisalmer Three Limited (AHE(J3)L)

Respondent : Solar Energy Corporation of India Ltd. (SECI) & Ors.

Date of Hearing : **10.11.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Parties Present : Shri Amit Kapoor, Advocate, AHEJTL
Ms. Priyakshi Bhatnagar, Advocate, AHEJTL
Shri Subham Bhat, Advocate, AHEJTL
Ms. Swapna Seshadri, Advocate, PSPCL
Ms. Kritika Khanna, Advocate, PSPCL
Shri M.G. Ramachandran, Senior Advocate, SECI
Ms. Surbhi Kapoor, Advocate, SECI
Ms. Anushree Bardhan, Advocate, SECI
Shri Anees Bajaj, Advocate, SECI
Ms. Srishti Khindaria, Advocate, SECI



Record of Proceedings

At the outset, learned counsel for the Petitioners submitted that in compliance with the directions of the Commission in Petition No.31/MP/2023, the Petitioner therein has already filed its additional affidavit furnishing the information as called for by the Commission. Learned counsel further circulated a detailed map demarcating the GIB areas and the route(s) of the transmission lines for all three Projects involved in Petition No. 31/MP/2023, Petition No. 40/MP/2023 and Petition No. 345/MP/2023 along with the placement of bird diverters, etc.

2. Learned senior counsel for the Respondent, SECI, submitted that the Petitioners may be asked to furnish such map on an affidavit along with certain additional details viz. (i) dedicated transmission lines already in existence as on 19th April 2021 i.e. date of issuance of GIB Order by Hon'ble Supreme Court in IA No. 85618 of 2020 in M. K. Ranjitsinh v. UoI in WP (Civil) 838 of 2019, (ii) Confirmation that the Petitioners have installed the requisite bird diverters as per the directions of the Hon'ble Supreme Court in GIB Order, and (iii) commissioning date of its dedicated transmission lines.

3. In response, learned counsel for the Petitioners submitted that the Petitioners will file the aforesaid details along with the detailed map as circulated on an affidavit in these matters. Learned counsel sought liberty to file its additional affidavit furnishing the details as called for in Petition No.31/MP/2023 in Petition No. 40/MP/2023. Accordingly, learned counsel for the Petitioners further urged that the matters may be reserved for orders. However, the learned senior counsel for the Respondent, SECI, urged that matters may be listed for an oral hearing after the Petitioners have furnished the above details/information.

4. Considering the submissions made by the learned senior counsel and learned counsel for the parties, the Commission permitted the Petitioners to file its additional affidavit(s) in these matters, as above, within three weeks.

5. The Petitions will be listed for hearing on **24.1.2024**.

By order of the Commission

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