

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 54/MP/2019

Subject : Application under Section 79(1) (f) of the Electricity Act, 2003 seeking reliefs in terms of PPAs dated 25.7.2013.

Petition No. 140/MP/2019

Subject : Application under Section 79(1) (f) of the Electricity Act, 2003 seeking reliefs against Respondent PTC India Ltd. in terms of PPAs dated 25.7.2013.

Petitioner : TRN Energy Private Limited

Respondents : PTC India Limited and 6 others

Date of Hearing : **21.8.2023**

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

Parties Present : Shri Amit Kapoor, Advocate, TRNEPL
Shri Nipun Dave, Advocate, TRNEPL
Ms. Sonakshi, Advocate, TRNEPL
Shri Aditya Dubey, Advocate, TRNEPL
Shri Abhishek Kumar, Advocate, UPPCL
Shri Nived, Advocate, UPPCL
Shri Karan Arora, Advocate, UPPCL
Shri Ravi Kishore, Advocate, PTC
Shri H.L. Choudhary, PTC
Shri Dhruv Tripathi, PTC

Record of Proceedings

The learned counsel for the Petitioner submitted that the convenience compilation has been filed and circulated a brief note. He further made detailed oral submissions referring to brief notes and pleadings and mainly highlighted the following four issues:

- (a) The first-year contract tariff commences from the date of supply of aggregate contracted capacity and treatment of supply of power to UP Discoms made during 2.12.2016 to 17.5.2017.
- (b) Illegal withholding of the monthly payment/supplementary bills, failure to establish payment security mechanisms, illegal deduction of trading margin and rebate on monthly energy bills.



(c) Delay in payment of PoC/transmission charges on reimbursement of PoC/ transmission charges leading to regulation of power supply by PGCIL. Due to this, capacity charges were affected and therefore, Petitioner is seeking a deemed declaration for capacity charges.

(d) Declaration of deemed availability for a short-fall in Declared Capacity due to *force majeure*.

2. The learned counsel for the Respondent PTC, elaborated on the role of trader and mainly submitted as under:

(a) The respondent PTC has gone out of way to help Petitioner, by way of releasing advance amount, on specific requests of the Petitioner.

(b) The Petitioner has signed reconciliation statements with PTC and now disputing the said reconciliation.

3. The proxy counsel appearing for the Respondent UPPCL submitted that the arguing counsel is not available and requested for another hearing. The learned counsel for the respondent PTC also submitted that submissions of the Respondent UPPCL and PTC may be heard simultaneously.

4. The Commission, after hearing the parties, allowed them to file their short additional submissions not exceeding four pages, after serving copies to each other, on or before, **15.9.2023**.

5. The matters remains part heard and shall be listed for final hearing at **3:00 p.m.** on **27.9.2023**.

By order of the Commission

Sd/-
(Deepak Pandey)
Assistant Chief (Law)

