

CENTRAL ELECTRICITY REGULATORY COMMISSION
(Legal Division)

Weekly Hearing Schedule for the month of March, 2023 (13.3.2023 to 17.3.2023)

Date, Day & Time	S. No.	Petition No.	Petitioner	Subject in Brief
13.3.2023 Monday At 10.30 A.M. Public Hearing through Video-conferencing		No. L-1/261/2021/CERC	Public Hearing	Draft Central Electricity Regulatory Commission (Connectivity and General Network Access to the inter-State Transmission System) (First Amendment) Regulations, 2023.
14.3.2023 Tuesday At 10.30 A.M. Miscellaneous Petitions	1.	315/MP/2022	SEIL	Petition under Section 38 read with Section 79(1)(c), Section 79(1)(f), Section 79(1)(k) of the Electricity Act, 2003 read with Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2010, Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 and Clause 10.3 (g) of the Billing, Collection and Disbursement Procedure issued by CTUIL under CERC Sharing Regulations 2020 dated 1.1.2021 for recovery of interest from Central Transmission Utility of India on delay in reimbursement of excess Transmission Charges paid by Sembcorp Energy India Limited towards Bill of Supply for PoC Bill-1 for the month of October 2020 and November 2020 raised by CTUIL(On admission).
	2.	321/MP/2022	RMPSPD	Petition under Section 79 of the Electricity Act 2003 read with Regulation 14 & 15 of the Central Electricity Regulatory Commission (Terms and Conditions of Recognition and Issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulations, 2010 for grant of certificate of re-accreditation for RE-Generating Station to the Petitioner from 18.5.2021 and issue the Renewable Energy Certificates for energy generated from 18.5.2021 onwards (On admission).
	3.	331/MP/2022	MPL	Petition under Section 79 (1) (b) of the Electricity Act, 2003 seeking approval of the Secondary Supplementary Power Purchase Agreement dated 10.2.2022 executed between Maithon Power Limited (MPL) and Damodar Valley Corporation (DVC) as well as seeking approval to sign and execute Supplementary/Amendment Power Purchase Agreements with Kerala State Electricity Board (KSEB), Tata Power Delhi Distribution Limited (TPDDL) and Tata Power Trading Company Limited (TPTCL) for supply to West Bengal State Electricity Distribution Company Limited (WBSEDCL) to pass on the benefits of rationalized coal linkage to the distribution companies(On admission).
	4.	335/MP/2022	TPTL	Petition seeking in-principle approval for the procurement of Emergency Restoration System (ERS) (On admission).
	5.	319/MP/2020	NTPC	Petition under Section 79 (1) (a) read with Section 79 (1) (f) of the Electricity Act, 2003
	6.	346/MP/2020	DVC	Petition under section 79 (1) (f) of the electricity act, 2003 for adjudication of disputes between DVC & PSPCL regarding non-payment of fixed charges by PSPCL from COD
	7.	209/MP/2022	OEPL	Petition under Section 79 of the Electricity Act 2003 read with Electricity (Timely Recovery of Costs due to Change in Law) Rules, 2021 before the Central Electricity Regulatory Commission for seeking an appropriate adjustment/ compensation to offset financial/ commercial impact of change in law events on account of increase in the rate of goods and services tax from 5% to 12% by way of Notification No. 8/2021-Central Tax (Rate) dated 30.09.2021, in terms of Article 12 of the Power Purchase Agreement dated 25.10.2019 between M/s Ostro Energy Private Limited and Solar Energy Corporation of India Limited.
	8.	215/MP/2021	SPL	Petition under Section 79 of the Electricity Act, 2003 read with statutory framework governing procurement of power through competitive bidding and Article 13.2(b) of the Power Purchase Agreement dated 7.8.2007 executed between Sasan Power

			Limited and the Procurers for compensation due to Change in Law impacting revenues and costs during the Operating Period.
9.	265/MP/2018	GBHPPL	Petition under section 79 (1) (f) read with Section 142 of the Electricity Act, 2003 for issuance of direction for quashing of the letter dated 02.08.2018 issued by Power Grid Corporation of India Limited (PGCIL) whereby, PGCIL has wrongful and arbitrarily proceeded to impose transmission charges to the tune of Rs. 6.41 Crores upon the Petitioner towards Long Term Access (LTA) capacity 8.4 MW and also, through a subsequent letter dated 14.08.2018 threatened curtailment of Short-Term Open Access with effect from 23.08.2018. The same is in direct contravention of the final Order in Petition No. 190/MP/2016 dated 31.5.2018 (<i>Remand from APTEL</i>).
10.	163/MP/2022	RBPL	Petition under Section 79 of the Electricity Act, 2003 and Article 12 read with Article 16.3.1 of the Power Purchase Agreements executed by the Petitioners and NTPC Limited dated 12.05.2016, inter alia seeking relief on account of Change in Law viz. the introduction of the Goods and Services Tax laws, and seeking refund of amounts wrongfully sought to be deducted from the monthly tariff payable to the Petitioners putatively in lieu of Change in Law compensation paid earlier.
11.	282/MP/2021	RKMPPPL	Petition under Section 79(1) (b),79 (1)(f) and 79 (1)(k) of the Electricity Act 2003, read with Articles 11.5.3,11.5.4,12.1, 24.3 and 24.4 of the Pilot Agreement for Procurement of Power (PAPP) dated 26.10.2018 executed between the Petitioner (RKM) and the Respondent (PTC) seeking payment of the outstanding amount on account of monthly supply bills; late payment surcharge; additional interest; and for furnishing of Letter of Credit as payment security mechanism.
12.	207/MP/2022	NEEPCO	Petition under Section 178, 79(1)(k) of the Electricity Act, 2003 read with regulation 4(2) and 18 (Power to Relax) of Central Electricity Regulatory Commission (Terms and Conditions for Renewable Energy Certificates for Renewable Energy Generation) Regulations, 2022 seeking issuance of appropriate order(s) / direction(s) / declaration from the Commission that sale of united (without PPA) power from 600 MW (4x150 MW) Kameng Hydro Electric Project of the petitioner under DAM/RTM becomes eligible for issuance of HEC (Non-Solar REC) under the Hydro Power Obligation from 2021-22 to 2029-30 as per the order dated 8 March 2019 and 29 January 2021 of MoP, GOI.
13.	167/MP/2021	AP&NL	Petition under Section 79 (1) (b) read with Section 79(1) (f) of the Electricity Act, 2003 inter-alia seeking compensation on account of occurrence of Change in Law events relating to Power Purchase Agreements dated 18.12.2013 and 19.12.2013 entered into between the Petitioner and the Respondents.
14.	455/MP/2019	RIL	Petition under Section 79 of the Electricity Act, 2003 read with other applicable Provisions of the 2003 Act, as amended from time to time, as regards the unauthorized deductions made by the Respondents from the bills payable to the Petitioner.
15.	65/MP/2020	RIL	Petition seeking declaration that HSD is an alternative fuel in terms of Article 1.1.27 of the PPA and refund the unauthorized deductions of Rs. 96,68,92,198/- made by the Respondents from the bills payable to the Petitioner.
16.	618/MP/2020	AP PCC	Petition under Section 79(1)(f) of the Electricity Act, 2003 for ineligibility of availability declarations made by Reliance Infrastructure Limited with alternate fuel (Naphtha/HSD) after 2009; and under Section 128 of the Electricity Act, 2003 for investigation of illegal dismantling of existing Naphtha tanks by the Respondent in 2009.
17.	432/MP/2019	SPL	Petition under Section 79 of the Electricity Act, 2003 read with the statutory framework governing procurement of power through competitive bidding and Power Purchase Agreement dated 7.8.2007 seeking compensation on account of increased cost incurred by Sasan Power Limited consequent to default of the Procurers (Part Heard) .
18.	211/MP/2019	RIS2PL	Petition under Section 79 of the Electricity Act, 2003 read with Article 12 of the Power Purchase Agreement dated 27.06.2016 executed between Rattan India Solar 2 Private Ltd. and Solar Energy Corporation of India Ltd. for seeking approval of

				Change in Law events due to enactment of the GST Laws (Remand from APTEL).
	19.	213/MP/2019	YIPL	Petition under Section 79 of the Electricity Act, 2003 read with Article 12 of the Power Purchase Agreement dated 22.06.2016 executed between Yarrow Infrastructure Private Limited and National Thermal Power Corporation Limited for seeking approval of Change in Law events due to enactment of the GST Laws (Remand from APTEL).
	20.	73/MP/2020	SBOPL	Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 for (i) approval of Change in Law and consequential relief to compensate for the increase in capital cost due to introduction of the Central Goods and Services Tax Act, 2017, the Integrated Goods and Services Tax Act, 2017 and the State Goods and Services Tax Acts enacted by respective states, and (b) imposition and introduction of Safe Guard Duty on the import of solar cells (whether or not assembled in modules or panels) by way of Notification No.01/2018- Customs SG dated 30.07.2018 issued by the Department of Revenue, Ministry of Finance, in terms of Article 12 read with Article 16.3.1 of the Power Purchase Agreements dated 06.10.2017 between SB Energy One Private Limited and Solar Energy Corporation of India Limited (Remand form APTEL).
	21.	46/RP/2022	SBE (4) PL	Petition seeking review of the Order dated 23.8.2022 in Petition No. 373/MP/2019.
16.3.2023 Thursday At 10.30 A.M.	1.	340/MP/2022	IL&FS	Petition under Section 79(1) (b) and Section 79(1) (f) of Electricity Act, 2003 read with Article 22.4 of Pilot Agreement for Procurement of Power dated 26.10.2018 executed between IL&FS Tamil Nadu Power Company Ltd. and PTC India Ltd. for recovery of (i) outstanding Monthly Invoices (ii) Delayed Payment Interest (iii) compensation for under-scheduling (iv) charges for minimum guaranteed off-take of 55% against the deemed full availability and (v) O&M Expenses and interest on debt and suspension of Trading License of PTC India Limited(On admission).
	2.	341/MP/2022	IL&FS	Petition under Section 79, including 79(1) (b),79 (1)(f) and 79 (1)(k) of the Electricity Act 2003, seeking payment of the outstanding amount in terms of the Power Purchase Agreement (PPA) dated 12.12.2013 executed between the Petitioner (ITPCL) and the Respondent (TANGEDCO) (On admission).
	3.	345/MP/2022	AHEJ(1)L	Petition under Section 79 of the Electricity Act, 2003 read with Article 12.2 and Article 16.3.1 of the Power Purchase Agreements dated 28.11.2019 for the development of 390 MW (2 X 195 MW) ISTS connected Wind-Solar Hybrid power project(s), entered between Adani Hybrid Energy Jaisalmer One Limited (earlier known as Adani Green Energy Eighteen Limited, an SPV of Mahoba Solar (UP) Private Limited) and Solar Energy Corporation of India Ltd. seeking reliefs for the additional expenditure incurred due to occurrence of Change in Law events(On admission).
	4.	93/MP/2022	NHDC	Petition under Section 79(1)(f) of the Electricity Act, 2003 read with Regulation 27 of the Central Electricity Regulation Commission (Conduct of Business) Regulations, 1999 and Regulation 56 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 seeking directions from this Commission to allow pass through in the generation tariff, of interest levied on Electricity Duty and Energy Development Cess paid by the Petitioner in respect of energy supplied from its generating stations(Part-Heard).
	5.	228/MP/2022	HPEL	Petition under Regulation 17(12) of the Central Electricity Regulatory Commission (Power Market) Regulations, 2021 and under Regulations 54, 55 and 56 of the Central Electricity Regulatory Commission (Power Market) Regulations, 2021 seeking additional time period in order to meet the compliances set out under Regulations 17 of the Central Electricity Regulatory Commission (Power Market) Regulations, 2021.
	6.	197/MP/2022	PGCIL	Petition under Section 79 (1) (c) and (d) of the Electricity Act, 2003 read with the applicable provisions of the CERC (Terms

				and Conditions of Tariff) Regulations, 2014 seeking recovery of IDC & IEDC for the period from 31.8.2016.
	7.	75/MP/2022	JITPL	Petition under Sections 79(1)(b) and 79(1)(f) of the Electricity Act, 2003, read with the Letter of Intent dated 13.02.2021, and Bid Document dated 17.12.2020, thereby seeking directions from this Hon'ble Commission for quashing erroneous Compensation Bills/ Tax Invoices raised upon the Petitioners by the Respondent qua levy of alleged liquidated damages, and also to restrain the said Respondent from levying IGST on such liquidated damages, payment of illegally withheld amongst with applicable Delay Payment surcharge and amongst other consequential reliefs.
	8.	584/MP/2020	JPL	Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 for adjudication of the issues arising out of the Power Supply Agreement (PSA) dated 26.12.2014 for supply of 100 MW and Power Supply Agreement dated 31.12.2014 for supply of 115 MW of power to Kerala State Electricity Board Limited.
	9.	59/GT/2022	BRBCL	Petition for determination of tariff of Nabinagar Thermal Power Project (1000 MW) for the period from 1.4.2019 to 31.3.2024
	10.	424/GT/2020	NTPC	Petition for approval of tariff of Singrauli Super Thermal Power Station (2000 MW) for the period from 1.4.2019 to 31.3.2024.
	11.	361/GT/2020	PPPL	Petition for true up of Generation Tariff of Pragati-III CCPS 1371.2 MW power plant of Pragati Power Corporation Limited for the MYT period 1.4.2014 to 31.3.2019
	12.	376/GT/2020	PPPL	Petition for determination of Generation Tariff of Pragati-III CCPS 1371.2 MW power plant of Pragati Power Corporation Limited for the period from 1.4.2019 up to 31.3.2024 of current MYT period 2019-24
	13.	212/GT/2021	NHPC	Petition for approval of tariff in deviation from norms specified in CERC (Terms and Conditions of Tariff) Regulations, 2019 in respect of Teesta Low Dam -IV Power Station.
	14.	223/GT/2021	NHPC	Petition for truing up of tariff for the period 11.3.2016 (COD of 1st unit) to 31.03.2019 and tariff petition for the period 2019-21 in respect of Teesta Low Dam-IV Power Station.
Coram: Member (ISJ) Member (AG) Member (PKS)	15.	42/RP/2022	NHPC	Petition for review of the Commission's order dated 18.8.2022 in Petition No.284/GT/2020 (Truing up of tariff for the period 2014-19 and for determination of tariff for the period 2019-24 in respect of Dhauliganga Power Station)
	16.	44/RP/2022	NHPC	Petition seeking review of the Order dated 29.8.2022 in Petition No. 143/GT/2020.

By order of the Commission

Sd/-
(T.D. Pant)
Joint Chief (Legal)
14.3.2023