

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 160/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003 challenging levy of penalty by Southern Regional Power Committee for alleged deviation by Renew Surya Ojas Private Limited from the schedule, being contrary to Central Electricity Regulatory Commission (Deviation settlement mechanism and related matters) Regulations, 2022, along with supporting Affidavit.

Date of Hearing : **8.5.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member(not participated)

Petitioner : ReNew Surya Ojas Private Limited (RSOPL)

Respondent : Southern Regional Power Committee and Ors.

Parties Present : Shri Sanjay Sen, Senior Advocate, RSOPL
Ms. Neha M. Dabral, Advocate, RSOPL
Shri Girik Bhalla, Advocate, RSOPL
Ms. Anamika Rana, Advocate, RSOPL
Shri Agam Kumar, RSOPL
Shri Nadim Ahmad, SRLDC
Shri Alok Mishra, SRLDC

Record of Proceedings

During the course of the hearing, the learned senior counsel for the Petitioner made detailed submissions in the matter. Learned senior counsel *inter alia* submitted that the issue involved in the matter pertains to applicable charges/ penalties for deviation in the injection of infirm power by the Petitioner. Learned senior counsel submitted that the Petitioner is a “WS Seller,” such charges /penalties cannot be at the rates applicable to a “General Seller.” Learned senior counsel pointed out that pursuant to the direction of the Commission vide Record of Proceedings for the hearing dated 1.5.2024, Respondents, SRPC, and SRLDC have filed their replies in the matter.

2. The representative of Respondent, SRLDC, submitted that Respondent has already filed its reply in the matter and that Respondent has acted as per the provisions of the DSM Regulations 2022 & its related orders issued by this Commission.

3. Learned senior counsel pointed out that the issue involved in the matter has already been clarified by the Commission in the Draft Central Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2024, and similar dispensation may also be allowed in the present case. In response, the representative of SRLDC also added that if the dispensation as prayed for by the Petitioner is allowed, other similarly placed “WS Seller” may also approach for similar treatment.

4. Considering the submissions made by the learned senior counsel for the Petitioner and the representative of SRLDC, the Commission permitted the Petitioner to file its rejoinder/ written submissions, if any, within 3 days.
5. Subject to the above, the Commission reserved the matter for order.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)