

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 196/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003 and Regulations 1.5(iv), 5.2(u) and 6.5(11) of the CERC (Indian Electricity Grid Code) Regulations, 2010 read with Regulations 49(1)(f)(iii), 49(3)(a)(A)(ii)(III), 49(3)(a)(A)(iii)(II) and 56(k) of the CERC (Indian Electricity Grid Code) Regulations, 2023 and Rule 3 of the Electricity (Promotion of Generation of Electricity from Must-Run Power Plant) Rules, 2021 seeking directions to State Load Dispatch Centre to implement the Must Run status accorded to the Petitioner's Solar Power Project in letter and spirit and to compensate the Petitioner for generation loss for unlawful and arbitrary curtailment of generation from Petitioner's Solar Project

Date of Hearing : **7.10.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Petitioner : Solairepro Urja Private Limited (SUPL)

Respondent : Andhra Pradesh State Load Despatch Centre (AP SLDC) and Ors.

Parties Present : Shri Vishrov Mukherjee, Advocate, SUPL
Shri Venkatesh, Advocate, NTPC

Record of Proceedings

Learned counsel for the Petitioner submitted the present Petition has been filed *inter alia* seeking direction to the Respondent, AP SLDC, to implement the Must Run status accorded to the Petitioner's Solar Power Project in letter and spirit and to compensate the Petitioner for generation loss for the unlawful and arbitrary curtailment of generation from the Petitioner's Solar Power Project. Learned counsel submitted that since September 2019, the Respondent, APSLDC, has been issuing informal instructions for backing down without providing the reasons for such a backdown. Learned counsel further submitted that the Petitioner had previously preferred Petition No.592/MP/2020 against curtailment of power from its Project seeking compensation on account of generation loss for the period from July 2019 to 17.01.2020, which is currently pending before the Commission. However, since the issue of curtailment continues to persist, the Petitioner has been constrained to file the present Petition for the subsequent period, i.e., 18.1.2020 to January 2024. Learned counsel further submitted that the Petitioner has also prayed for an interim direction to the effect that no curtailment instructions be issued by AP SLDC, contrary to law, during the pendency of the present case.

2. Learned counsel for the Respondent, NTPC, accepted the notice and sought time to file a reply to the Petition.

3. After hearing the learned counsel for the Petitioner and Respondent NTPC, the Commission directed as under:
- (a) Admit and issue notice to the Respondents, subject to just exceptions;
 - (b) The Petitioner to serve a copy of the Petition to the Respondents and Respondents to file their reply to the Petition, if any, within two weeks after serving a copy of the same to the Petitioner, who may file its rejoinder within a week thereafter.
4. The Petition will be listed for the hearing on **7.11.2024**.

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