

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.25/MP/2024

Subject : Petition under section 79(1)(a) & (f) of the Electricity act, 2003 read with Regulation 111 of the CERC (Conduct of Business) Regulations, 1999 and article 10 of the Power Usage Agreements seeking working group Report, 2022 as Change in Law Event.

Petitioner : NTPC Green Energy Limited

Respondents : Southern Power Distribution Company of Telangana Limited & Ors.

Petition No. 40/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12.2 (Change in Law) of the Power Purchase Agreements dated 21.07.2017 executed for the development of 50 MW ISTS connected wind project between Adani Wind Energy Kutchh One Limited [Formerly known as Adani Green Energy (MP) Limited] and PTC India Limited, seeking relief for the additional expenditure incurred due to occurrence of Change in Law event.

Petitioner : Adani Wind Energy Kutchh One Limited

Respondents : PTC India Limited & Ors.

Petition No. 43/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12.2 of the Power Purchase Agreement dated 19.11.2019 entered between Adani Wind Energy Kutchh Five Limited (formerly known as Adani Green Energy Five Limited) and Solar Energy Corporation of India Ltd. seeking reliefs for the additional expenditure incurred due to occurrence of Change in Law event

Petitioner : Adani Wind Energy Kutchh Five Limited

Respondents : Solar Energy Corporation of India Ltd. & Anr.

Petition No. 49/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003; read with applicable provisions of Power Purchase Agreement dated 14.09.2021 executed between the Petitioner and the Respondent No. 1 and the relevant provisions of the applicable law inter alia seeking Change in Law claims with respect to the mandate of installing reactive power compensation devices for the Petitioner's 300 MW Wind Power Project in Gadag, Karnataka and reliefs for seeking extension of time to comply with the aforesaid requirements.



Petitioner : Ayana Renewable Power Six Private Limited.

Respondents : Solar Energy Corporation of India Limited and Ors.

Petition No. 57/MP/2024

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Regulation 111 of the CERC (Conduct of Business) Regulations, 1999 and Article 12 of Power Purchase Agreement dated 21.10.2016 seeking in-principle approval of the occurrence of Change in Law events, i.e., issuance of the Central Electricity Authority (Technical Standards for Connectivity to the Grid) (Amendment) Regulations, 2019 and the Working Group Report, 2022 with affidavit.

Petitioner : Tata Power Renewable Energy Limited.

Respondents : Solar Energy Corporation of India Limited & Ors.

Petition No. 139/MP/2024

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Regulation 65 of the CERC (Conduct of Business) Regulations, 2023 and Article 17 of Power Purchase Agreements dated 25.11.2021 seeking in-principle approval of the occurrence of Change in Law event, i.e., issuance of the Working Group Report, 2022.

Petitioner : Talettutayi Solar Projects Nine Private Limited.

Respondents : M.P. Power Management Company Limited & Ors.

Date of Hearing : **19.4.2024**

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

Parties Present : Shri Venkatesh, Advocate, NTPCGEL, TPREL & TSPPL
Shri Abhishek Nangia, Advocate, NTPCGEL
Shri Mohit Gupta, Advocate, NTPCGEL
Shri Amit Kapur, Advocate, AGEMPL
Ms. Sakshi Kapoor, Advocate, AGEMPL & AWEKL
Shri Pradyumn Amit Sharma, Advocate, AGEMPL & AWEKL
Shri Rajeev Lochan, AGEMPL & AWEKL
Shri Aniket Prasoon, Advocate, ARP6PL
Shri Prithu Chawla, Advocate, ARP6PL
Shri Gajendra Singh, SRLDC
Shri Shubham Arya, Advocate, CTUIL
Ms. Pallavi Saigal, Advocate, CTUIL



Shri Divyanshu Sharma, Advocate, CTUIL
Ms. Priyanshi Jadiya, CTUIL
Shri Akshayvat Kislay, CTUIL
Shri Lashit Sharma, CTUIL
Shri Suhael Buttan, Advocate, TPREL & TSPPL
Shri Nikunj Bhatnagar, Advocate, TPREL & TSPPL
Ms. Priya Dhankar, Advocate, TPREL & TSPPL
Ms. Mandakini Ghosh, Advocate, SECI
Ms. Kirti Dhoke, Advocate, SECI

Record of Proceedings

Learned counsels for the Petitioners submitted that present Petitions have been filed *inter-alia* seeking in-principle approval of the occurrence of Change in Law event, namely, *Report of the Working Group in respect of Data Submission Procedure and Verification of Compliance to CEA Regulation on Technical Standards for Connectivity to the Grid by RE Generators* ('Working Group Report') issued by the Central Electricity Authority ('CEA') on July 2022. Learned counsel for the Petitioner, in Petition No. 43/MP/2024, submitted that in the said case, the Petitioner has also sought issuance of Department of Revenue, Ministry of Finance, (Government of India) Notification No. 8/2021-Central Tax (Rate) dated 30.09.2021 read with Ministry of Finance's No. 8/2021-Integrated Tax (Rate) Notification dated 30.09.2021 increasing the rate of GST from 5% to 12% as Change in Law events along with other consequential reliefs. Learned counsel for the Petitioner in Petition No. 49/MP/2024 further added that in the said matter, the Petitioner is also seeking an extension of time to comply with the requirement of installation of reactive power compensation devices for its Project.

2. After hearing the learned counsel for the Petitioners, the Commission directed as under:

(a) Admit. Issue notice to the Respondents including to the newly impleaded Respondents.

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(b) The Petitioners to implead CTUIL and WRLDC as parties to the Petition and file a revised memo of parties within a week.

(c) The Petitioners to indicate, on an affidavit, within two weeks as to when the Petitioner was directed to comply with the recommendations of the Working Group Report, 2022, and whether it has complied with or not.

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(d) The Petitioner to implead CTUIL, NRLDC, and WRLDC as party to the Petition and file a revised memo of parties within a week.

(e) The Petitioner to indicate, on affidavit within two weeks, as to (i) whether the Petitioner's plant covered under the present Petition is complying with the provisions of CEA (Technical Standards for Connectivity to the Grid) Regulations, including amendments, and (ii) when the Petitioner was directed to comply with the recommendations of the Working Group Report, 2022, and whether it has complied with or not.

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(f) The Petitioner to indicate, on an affidavit within two weeks as to when the Petitioner was directed to comply with the recommendations of the Working Group Report, 2022, and whether it has complied with or not.

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(g) The Petitioner to also indicate, on an affidavit within two weeks, as to (i) whether the Petitioner's plant covered under the present Petition is complying with the provisions of CEA (Technical Standards for Connectivity to the Grid) Regulations, including amendments, and (ii) when the Petitioner was directed to comply with the recommendations of the Working Group Report, 2022, and whether it has complied with or not.

(h) The Petitioner(s) may file their additional affidavit, if any, to bring on record the additional details/documents within three weeks.

(i) The Respondents including the newly impleaded Respondents to file their reply to the Petition, if any, within three weeks of serving a copy of the same to the Petitioners, who may file their rejoinder(s) within three weeks thereafter.

3. The Petitions will be listed for the hearing on **22.5.2024**.

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