

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.251/MP/2023

- Subject : Petition under Sections 79 of the Electricity Act, 2003 read with Article 4.2.2 of the Power Purchase Agreement dated 20.08.2019 executed between the Petitioner and Solar Energy Corporation of India Limited (SECI), seeking a declaration that the liability towards the payment of transmission charges towards the Long-Term Open Access (LTA) is not attributable to the Petitioner.
- Date of Hearing : **19.1.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri P. K. Singh, Member
- Petitioner : Adani Solar Energy Jaisalmer.
- Respondents : Central Transmission Utility of India Limited and others
- Parties Present : Shri Hemant Singh, Advocate, ASEJ
Shri Lakshyjit Singh Bagdwal, ASEJ
Ms. Lavanya Panwar, Advocate, ASEJ
Shri Harshit Singh, Advocate, ASEJ
Shri Swapnil Verma, CTUIL
Shri Ranjit Singh Rajput, CTUIL

Record of Proceedings

At the outset, learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, seeking direction/declaration that the liability arising towards payment of the transmission charges corresponding to the Long-Term Open Access (LTA) granted in favour of the Petitioner by Respondent, Central Transmission Utility of India Limited (CTUIL) cannot be fastened upon the Petitioner in terms of Article 4.2.2 of the PPA dated 20.08.2019, as the delay in achieving Commercial Operation Date of the generating stations is not attributable to the Petitioner. Learned counsel further submitted that Respondent, SECI/Discoms which have defaulted towards getting the regulatory approval in terms of Article 4.5.1(a) of the PPA and hence delay attributes on their part.

2. Learned counsel for the Respondent CTUIL accepted the notice and sought liberty to file its reply in the matter.

3. After hearing the learned counsel for the Petitioner, the Commission directed as under:

- (a) Admit. Issue notice to the Respondents.

(b) The Petitioner to implead the BSES Yamuna Power Limited (BYPL) & Tata Power Delhi Distribution Limited (TPDDL) as parties to the present Petition and file a revised memo of parties within a week.

(c) The Petitioner to serve a copy of the Petition on the Respondents, who may file its reply to the Petition, if any, within four weeks with a copy to the Petitioner, who may file its rejoinder within four weeks thereafter.

(d) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.

4. The Petition shall be listed for hearing on **10.4.2024**

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