

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 318/MP/2023

- Subject : Petition for approval of "change in law" event and for offset the financial/ commercial impact on account of imposition of ecosystem charge for commercial usage of natural water as a result of Ecosystem Services Rules, 2022 dated 18.7.2022 issued under Sikkim Forests, Water Courses and Road Reserve (Preservation and Protection) Act 1988 and in terms of Articles 9.8 and 11 of the PPA entered by the Petitioner in relation to Teesta-III Hydroelectric Project (1200 MW) with PTC India Limited on 28.7.2006 read with Electricity (Timely Recovery of Costs due to Change in Law) Rules, 2021.
- Petitioner : Sikkim Urja Limited
- Respondents : PTC India Limited & Ors.
- Date of Hearing : **5.3.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member
- Parties Present : Shri Tabrez Malawat, Advocate, SUL
Shri Sourajit Sarkar, Advocate, SUL
Shri Syed Hamza, Advocate, SUL
Ms. Rupali Jain, Advocate, SUL
Shri Manish Kumar, SUL
Ms. Priya Lama, SUL
Shri Sanchit Singh, Advocate, RUVNL

Record of Proceedings

During the hearing, the learned counsel for the Petitioner submitted that the present Petition has been filed seeking directions for recovery of costs towards commercial usage of water, in terms of the Ecosystem Rules, 2022 issued by the Govt. of Sikkim, considering the same as a change in law event, in terms of the PPA dated 28.7.2006 and for the grant of compensation to offset the financial/ commercial impact relating to the said levy on the Petitioner.

2. The Commission, after hearing the learned counsel for the Petitioner, directed as under:
- a. Admit and Issue notice;
 - b. The Respondents shall file their replies, on or before **1.4.2024**, after serving copy on the Petitioner, who may, file its rejoinder, if



any, by **25.4.2024**. The parties shall complete pleadings within the due dates mentioned and no extension of time shall be granted.

3. The Petition shall be listed for hearing on **11.6.2024**.

By order of the Commission

**Sd/-
(B. Sreekumar)
Joint Chief (Law)**

