

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 339/MP/2022

- Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Article 16.3.1 of the Power Purchase Agreement dated 29.10.2021 executed between Tunga Renewable Energy Private Limited and Solar Energy Corporation of India Limited seeking extension in the timelines for achieving Conditions Subsequent and Scheduled Commissioning Date of the 190 MW Wind Power Project being set up by Tunga Renewable Energy Private Limited in Karnataka.
- Petitioner : Tunga Renewable Energy Private Limited (TREPL)
- Respondents : Solar Energy Corporation of India Limited (SECI) and Anr.
- Date of Hearing : **17.10.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Shri Ashwin Ramanathan, Advocate, TREPL
Shri M. G. Ramachandran, Sr. Advocate, SECI
Ms. Anushree Bardhan, Advocate, SECI
Ms. Surbhi Kapoor, Advocate, SECI
Ms. Shirsha Saraswati, Advocate, SECI

Record of Proceedings

Learned counsel for the Petitioner submitted that the instant Petition had been filed *inter alia* seeking extension in timelines for achieving the Scheduled Commissioning Date (SCD) of its 190 MW Wind Power Project under the Power Purchase Agreement (PPA) dated 29.10.2021 with Respondent, SECI. Learned counsel submitted that after the filing of the Petition, the parties have reached an amicable settlement on certain issues involved.

2. In response, the learned senior counsel for the Respondent, SECI, submitted that the power to be procured under the PPA with the Petitioner herein is for the onward supply, on a back-to-back basis, to the distribution companies, namely, Chhattisgarh State Power Distribution Company Limited and Electricity Department, Union Territory of Puducherry and unless these distribution companies agree to the extension of SCD, SECI cannot accede to such extension. Learned senior counsel also pointed out that these distribution companies have raised an issue that in case the SCD is extended beyond June 2025, no Change in Law impact, i.e., levy of transmission charges, ought to be passed onto them. Learned senior counsel further sought liberty to place on record the subsequent correspondence exchanged in this regard and also suggested that the parties may be asked to file a joint memo of settlement, if any.

3. Learned counsel for the Petitioner also pointed out that these distribution companies have shown a willingness to off-take the power from the Petitioner's Project, and the Commission may consider issuing notice to them again.

4. Considering the submissions made by the learned counsel for the Petitioner and learned senior counsel for SECI, the Commission permitted the parties to place on record the subsequent developments in the matter. Moreover, the Commission also permitted the concerned parties, including the distribution companies, to have a joint meeting, if required, to deliberate upon the amicable settlement within a month and thereafter, file a joint memo of settlement, if any, within two weeks. Till such time, the interim protection granted in the favour of the Petitioner will continue.

5. The Petition will be listed for the hearing on **9.1.2025**.

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