

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

**Review Petition No. 7/RP/2024 in
Petition No. 114/MP/2019**

Subject	:	Petition for review and modification of Order dated 18.1.2024 passed by the Commission in Petition No. 114/MP/2019.
Petitioner	:	GMR Energy Trading Limited & Anr.
Respondents	:	Tamil Nadu Generation and Distribution Corporation Limited
Date of Hearing	:	4.4.2024
Coram	:	Shri Jishnu Barua, Chairperson Shri Arun Goyal, Member Shri P. K. Singh, Member
Parties Present	:	Shri Vishrov Mukerjee, Advocate, GETL& GWEL Shri Yashaswi Kant, Advocate, GETL& GWEL Ms. Priyanka Vyas, Advocate, GETL& GWEL

Record of Proceedings

The instant review petition is filed by GMR Energy Trading Limited (GETL) and GMR Warora Energy Limited (GWEL) seeking review and modification of the order dated 18.1.2024 passed by the Commission in Petition No. 114/MP/2019. The Commission, vide order dated 4.2.2022 in Petition No. 114/MP/2019 held that TANGEDCO will make payment to GWEL for capacity charges irrespective of grid constraint between November 2015 and March 2016. Aggrieved with the decision of the Commission, TANGEDCO filed Appeal No. 333 of 2022 before APTEL. APTEL vide judgement dated 7.10.2022 in Appeal No. 333 of 2022 has set aside the order dated 4.2.2022 and remanded the matter to the Commission for passing consequential orders.

2. The learned counsel for the review petitioners submitted that the Commission disposed the matter on remand, vide order dated 18.1.2024 reiterating the APTEL's judgment dated 7.10.2022. He submitted that, however, the Commission did not compute the tariff payable by TANGEDCO to the Petitioners for the period of grid constraint, i.e., November 2015 to March 2016 in terms of the Power Purchase Agreement dated 27.11.2013, as directed by APTEL, which is an error apparent.



3. After hearing the learned counsel for the Petitioners, the Commission directed as follows:
- a. Admit the review petition.
 - b. Issue notice to the Respondent.
 - c. The Respondent to file its reply, on an affidavit, by 30.4.2024, with an advance copy to the Review Petitioners and the Review Petitioners to file their rejoinder, if any, by 24.5.2024.
4. The review petition will be listed for further hearing on 29.8.2024

By order of the Commission

Sd/-

(V. Sreenivas)
Joint Chief (Law)

