

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.91/MP/2024

- Subject : Petition under section 79 of the Electricity Act 2003 before this Commission for (i) an in-principle approval of certain events as events of Change in Law and (ii) an appropriate mechanism for appropriate adjustment/ compensation to offset financial/ commercial impact of change in law events in terms of Article 12 of the Power Purchase Agreements signed between the Petitioners and Solar Energy Corporation of India Limited along with carrying cost and interest on carrying cost.
- Petitioners : ACME Deoghar Solar Power Pvt. Ltd. and Ors.
- Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.
- Date of Hearing : **28.11.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Ms. Mannat Waraich, Advocate, ACME
Ms. Ananya Gosawmi, Advocate, ACME
Ms. Uravashi Mishra, Advocate, BRPL & BYPL
Shri Suneel Kumar, Advocate, BRPL & BYPL
Ms. Ritika Singh, Advocate, SECI
Shri Kartik Sharma, Advocate, SECI

Record of Proceedings

At the outset, learned counsel appearing on behalf of Respondents 6 & 7, BYPL & BRPL, sought liberty to file their reply in the matter.

2. Learned counsel for the Petitioners submitted that in response to the Respondents, BYPL, and BRPL's own notices, SECI has proceeded to terminate their Power Supply Agreement (PSA) with SECI, and the said Respondents may no longer have any locus standi in respect of the Petitioners' present Change in Law Petitions. Learned counsel added that if at all the Commission is inclined to grant an additional time to Respondents to file their replies, only a short accommodation may be given and the matter may be listed at the earliest.

3. In response, learned counsel for Respondents 6 & 7 submitted that said notice/letter for termination was subsequently withdrawn by the Respondents, and they had also consented to off-take the power under the PSA. Learned counsel added that the termination of the PSA by SECI has also been contested by the Respondents before the Delhi Electricity Regulatory Commission. Learned counsel, accordingly, urged to permit the Respondents to file their reply and to place on record the above developments.

4. Considering the submissions made by the learned counsel for the parties, the Commission permitted Respondents 6 & 7 to file their reply within two weeks as a last opportunity. The Petitioners were permitted to file their rejoinder, if any, within two weeks thereafter.

5. The Petition will be listed for hearing on **21.1.2025**.

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