

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.13/MP/2024

Subject : Petition under Section 29(5) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulation 2.3.1 (7) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010.

Petitioner : Tata Power Renewable Energy Limited (TPREL).

Respondent : Western Regional Load Dispatch Centre (WRLDC) and Ors.

Petition No. 39/MP/2024

Subject : Petition under Section 29(5) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulation 2.3.1(7) of the Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010.

Petitioner : Electro Solaire Private Limited (ESPL).

Respondent : Western Regional Load Dispatch Centre (WRLDC) and Ors.

Petition No. 126/MP/2024

Subject : Petition under Section 29(5) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

Petitioner : Gujarat Industries Power Company Limited (GIPCL).

Respondent : Western Regional Load Dispatch Centre (WRLDC) and Ors.

Date of Hearing : **6.2.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Parties Present : Shri Venkatesh, TPREL, ESPL & GIPCL
Ms. Priya Dhankar, Advocate, TPREL, ESPL & GIPCL
Shri Nikunj Bhatnagar, Advocate, TPREL, ESPL & GIPCL
Ms. Abiha Zaidi, Advocate, WRLDC
Shri Anuj Bhave, Advocate, WRLDC
Shri Gajendra Sinh, WRLDC
Shri Ashok Rajan, WRLDC



Shri Tushar Ranjan, WRLDC
Shri Momai Dey, WRLDC
Ms. Swapna Seshadri, Advocate, GUVNL
Shri Utkarsh Singh, Advocate, GUVNL
Shri Parth Bhalla, Advocate, GUVNL

Record of Proceedings

At the outset, the learned counsel for the Petitioners in Petition No. 13/MP/2024 & 39/MP/2024 submitted that the Petitioners had filed their compliance affidavits furnishing the information called for by the Commission vide Record of Proceedings for the hearing dated 26.12.2024. Learned counsel submitted that the Petitioners have installed the additional reactive power compensation devices in compliance with the Working Group Report, 2022, and have also placed on record the details thereof in the above compliance affidavits. Insofar as Petition No. 126/MP/2024 is concerned, the process for installation of the additional reactive power compensation devices at the Project is ongoing and is expected to be commissioned by March 2025. Learned counsel further submitted that while in Petition No. 126/MP/2024, the Petitioner has already prayed for the compensation towards the loss incurred by the Petitioner on account of the unlawful curtailment instructions issued by WRLDC, such prayer has not been made in Petition Nos. 13/MP/2024 & 39/MP/2024 as these cases were filed immediately after the issuance of letters dated 20.12.2023 and e-mail dated 26.12.2023 by WRLDC and before the actual curtailment took place in respect of the Projects and presently, these Petitions only seek to challenge these letter(s)/ communication(s) issued by WRLDC. Learned counsel, accordingly, submitted that the Petitioners in Petition No. 13/MP/2024 & 39/MP/2024 may, therefore, either be permitted to amend the prayer(s) so as to include the prayer for compensation or be granted a liberty to approach the Commission to file separate Petitions in this regard.

2. Learned counsel for Respondent, GUVNL, submitted that the Respondent is the beneficiary of the power generated by the Petitioners herein and, as such, no reliefs have been sought/prayed against GUVNL in these matters. Learned counsel further clarified that in case any dispute arises between the Petitioners and the GUVNL, the jurisdiction lies with the Gujarat Electricity Regulatory Commission (GERC) in terms of the PPAs entered into between GUVNL and the Petitioners. Learned counsel also pointed out that no relief can be sought against the GUVNL *qua* compensation towards the deemed generation charges by the Petitioners before this Commission. She further stated that despite of the curtailment there is no non-achievement of the numbers which have been agreed between the GUVNL and Petitioners in all the three matters and no penalty in terms of the PPAs have been levied on the Petitioners.

3. In response, the learned counsel for the Petitioners submitted that the Petitioners are not raising any contractual dispute with GUVNL in the present matters. The learned counsel for the Petitioner clarified that the claim invoked in Petition No. 126/MP/2024 is against the Respondent WRLDC and no charges have been claimed against GUVNL the Petitioners had not sought any prayers against the Respondent, GUVNL.

4. Learned counsel for the Respondent, WRLDC, submitted that the replies/affidavits filed by the Respondent in Petition No. 13/MP/2024 may also be considered in Petition Nos. 39/MP/2024 and 126/MP/2024.

5. Considering the submissions made by the learned counsels for the parties, the Commission deemed it appropriate to reserve the Petition Nos. 13/MP/2024 & 39/MP/2024 for an order.

6. The Petition **No.126/MP/2024** will be listed for the hearing on **8.4.2025**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)