

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 506/MP/2024**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 65 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 and Article 4.5 of the Power Purchase Agreement dated 28.6.2023 executed between AMP Energy Green Seventeen Private Limited and CESC Limited.

Petitioners : AMP Energy Green Seventeen Private Limited (AEGSPL)

Respondent : CESC Limited (CESC)

Date of Hearing : **28.1.2025**

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

Parties Present : Shri Sujit Ghosh, Sr. Advocate, AEGSPL  
Shri Mridul Gupta, Advocate, AEGSPL  
Ms. Mannat Waraich, Advocate, AEGSPL  
Ms. Divya Chaturvedi, Advocate, CESC  
Shri Jai Dhanani, Advocate, CESC

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter alia* seeking an extension of the Scheduled Commercial Operation Date of its Project under the Power Purchase Agreement dated 28.6.2023 on account of Force Majeure events. Learned counsel further submitted that in the present case, the generation Project of the Petitioner is in the State of Andhra Pradesh, and the electricity is being supplied to the Respondent, CESC, in the State of West Bengal and thus, the Petitioner's Project has a composite scheme for generation and sale of electricity in more than one State - bringing it within the ambit of Section 79(1)(b) of the Electricity Act, 2003. However, tariff in respect of the Petitioner's Project was adopted by the West Bengal Electricity Regulatory Commission (WBERC), and the Petitioner has contested such an exercise of jurisdiction by WBERC in an appeal before the APTEL, which is currently pending and is next listed for hearing on 11.2.2025.

2. Keeping in view the issue of jurisdiction vis-à-vis the 'Appropriate Commission' is currently pending before the APTEL in an appeal filed by the Petitioner, the Commission, with the consent of both sides, adjourned the matter *sine die*. The Petitioner is granted liberty to mention the matter upon any developments in its appeal before the APTEL.

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