

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 153/MP/2024

Subject : Petition under 79 (1) (f) of the Electricity Act, 2003 seeking an appropriate adjustment/ compensation to offset financial/ commercial impact of change in law events under Article 17 of the Power Purchase Agreements (PPA) dated 25.11.2021 executed between the NTPC REL and the Respondents and seeking an extension of the scheduled commercial operation date under Article 2.2 (b) and Article 2.4 (c) of the PPAs and revision of tariff.

Petitioner : NTPC Renewable Energy Limited (NREL)

Respondents : Rewa Ultra Mega Solar Limited and Ors.

Date of Hearing : **27.5.2026**

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

Parties Present : Ms. Swapna Seshadri, Advocate, NREL
Ms. Aishwarya Subramani, Advocate, NREL
Ms. Harsha Rao, Advocate, NREL
Shri Vaibhav Sharma, Advocate, NREL
Shri Aditya Singh, Advocate, MPPMCL
Shri T.R. Mohapatra, WRLDC
Ms. Momai Dey, WRLDC
Shri Aditya Singh, RUMSL

Record of Proceedings

At the outset, learned counsel for the Petitioner submitted that the present Petition has been filed seeking an extension in the Scheduled Commercial Operation Date (SCOD) under the Power Purchase Agreements dated 25.11.2021 and an appropriate adjustment/compensation to offset the financial/commercial impact of Change in Law events for the Petitioner's 325 MW Solar PV Power Project. The learned counsel submitted that the Petitioner has raised the Change in Law claims on two counts – firstly, an increase in the GST payable on renewable energy device in terms of the Ministry of Finance's Notification dated 30.9.2021, which has already been recognised as a Change in Law by the Commission in its several orders, and secondly, a requirement to add new items/equipment for reactive power compensation on account of Working Group Report 2022, which has already been heard by the Commission in a batch matters, wherein the order has been reserved. The learned counsel further submitted that the Petitioner has also sought an extension of the SCOD of its Project, as the delay was mainly due to the Respondent/ RUMSL's failure to fulfil the conditions subsequent within the timelines envisaged under the PPAs. The learned counsel further pointed out that the Respondent/RUMSL has previously extended the SCOD of the Project, and the Petitioner is seeking a further extension up to June 2025 on the very same reasons.

However, the Respondents have not filed any reply in the matter. Since the Respondent/RUMSL's stand/view on the Petitioner's prayer for extension in SCOD is relevant, the Respondents be granted one last opportunity to file their replies, with a direction to the Respondent/RUMSL to indicate its stand/view on the Petitioner's prayer for extension in SCOD.

2. Learned counsel appearing for Respondent No. 2, Madhya Pradesh Power Management Company Limited (MPPMCL), submitted that he has been recently engaged in the matter and sought liberty to file its reply.

3. After considering the submissions made by the learned counsels for the Parties, the Commission granted a last opportunity to the Respondents to file their replies, if any, within three weeks with a copy to the Petitioner, who may file its rejoinder(s), if any, within two weeks thereafter.

4. The Commission also directed the Petitioner to furnish the following information/ clarification, on an affidavit, within three weeks:

- (i) The present status of the Petitioner's Project.
- (ii) Detail of the delivery point specified under the PPA and the breakup of their Change in Law claim (equipment-wise) as per the table below:

Sl. No.	Change in Law event	Delivery Point	Occurrence of a Change in law even	Date of issuance of the Change in Law notice to the respective beneficiaries	Additional equipment installed due to the Change in Law event	Expenditure incurred (in INR)

5. The Respondent/WRLDC was directed to file the present status of compliance with the requirement of reactive power support as per the CEA Standards in respect of the Petitioner's Project within three weeks.

6. The Petition will be listed for hearing on **6.8.2026**.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**