

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 153/MP/2026

Subject : Petition under Section 94 (1) (f) of the Electricity Act, 2003 read with Regulation 65, 66, 67 and 68 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking compensation for loss of capacity charge on account of inadequate availability of fuel/gas and relaxation in the norms of Normative Plant Availability Factor (NAPAF) in terms of Regulation 70(A)(a) as read with Regulation 102 (Power to Relax) and Regulation 103 (Power to remove difficulty) of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2024 in respect of the Agartala Gas Based Power Station.

Petitioner : NEEPCO

Respondent(s) : APDCL and 8 others

Date of hearing : **6.5.2026**

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

Parties Present : Shri Abhijeet Mazumdar, Advocate, NEEPCO
Shri Shubham Arya, Advocate, NEEPCO
Ms. Shirin Gupta, Advocate, NEEPCO

Record of Proceedings

The matter was called out for hearing 'on admission'.

2. During the hearing, the learned counsel for the Petitioner submitted that the present Petition has been filed seeking relaxation of the Normative Plant Availability Factor (NAPAF) and recovery of capacity charges for the period 2024-25 on account of non-availability of gas.

3. The Commission, after hearing the learned counsel for the Petitioner, directed as under:

- a) Admit and issue notice to the Respondents;
- b) The Petitioner to submit the following additional information, after serving a copy to the Respondents, on or before **29.5.2026**:
 - i. *Actual quantity of gas offered by the supplier on a monthly basis, as against the quantity actually received. In case of any difference between the scheduled and received quantities, the Petitioner shall explain the reasons for such difference,*



supported by relevant documentation and correspondence, including any issues related to pressure, scheduling, or upstream supply constraints.

2024-2025	Daily Contracted Quantity (DCQ)	Daily Nominated Quantity (DNQ)	Actual Quantity received	PAF	Total loss of Generation	Loss of Generation due to the shortage of gas	Loss of Generation due to Other Reasons	%Loss of Generation for Gas non-availability	%Loss of Generation for other reasons
Month	MMSC MD	MMSC MD	MMSC MD	%	MU	MU	MU	%	%

- ii. The relaxation in the Normative Annual Plant Availability Factor (NAPAF) sought by the Petitioner for the entire financial year 2023–24, clearly quantifying the extent of the shortfall attributable to gas unavailability as distinct from other causes.

Month	Capacity Charges at 85% PAF (Rs. Cr)	Generation required to achieve 85% PAF (MU)	Actual generation /DC(MU)	Shortfall in generation attributable to all factors (MU)	Shortfall in generation attributable to gas unavailability (MU)	Actual shortfall of Capacity Charges attributable to gas unavailability (Rs. Cr)	Availability of the plant as sought for by NEEPCO (excluding shortfall on account of factors other than gas) (%)

- c) The Respondents to file their respective reply, after serving a copy upon the Petitioner, along with the following additional information (by the Respondent NERPC), on or before **30.6.2026**:

- i. Respondent, North Eastern Regional Power Committee (NERPC), may verify the shortfall in plant availability attributable to gas unavailability.

- d) The Petitioner to file its rejoinder, if any, on or before **14.7.2026**.

4. The Petition shall be listed for hearing on **23.7.2026**.

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

