

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 179/MP/2023

Subject : Petition under Section 11(2) of the Electricity Act, 2003 read with 79 of the Electricity Act, 2003, along with Regulation 111-113 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 inter-alia seeking a declaration/direction with regard to the principles/ methodology to be adopted for computation of the rate/ compensation at which such supply of power to Respondent Nos. 1 to 8 for the period between being 15.03.2023 to 16.06.2023, or such other period as extended by Ministry of Power from time to time, based on principles laid down with respect to Section 11(2) of the Electricity Act, 2003.

Petitioner : Tata Power Company Limited (TPCL)

Respondents : Gujarat Urja Vikas Nigam Limited (GUVNL) and Ors.

Date of Hearing : **30.4.2026**

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

Parties Present : Shri Sanjay Sen, Sr. Advocate, TPCL
Ms. Shubhi Sharma, Advocate, TPCL
Shri Shri Venkatesh, Advocate, TPCL
Ms. Shambhavi Jha, Advocate, TPCL
Ms. Vandana Ragwani, Advocate, TPCL
Shri Ashutosh Srivastava, Advocate, TPCL
Shri Shryeshth Ramesh Sharma, Advocate, TPCL
Shri Aashwyn Singh, Advocate, TPCL
Shri Vedant Choudhary, Advocate, TPCL
Shri M. G. Ramachandran, Sr. Advocate, GUVNL, PSPCL & HPPC
Ms. Ranjitha Ramachandran, Advocate, GUVNL
Ms. Srishti Khindaria, Advocate, GUVNL
Ms. Poorva Saigal, Advocate, PSPCL & HPPC
Ms. Shree Dwivedi, Advocate, PSPCL & HPPC
Ms. Swapna Seshadri, Advocate, Rajasthan Discoms
Shri Anand K Ganesan, Advocate, Rajasthan Discoms
Shri Amal Nair, Advocate, Rajasthan Discoms

Ms. Khyati Chhabra, Advocate, Rajasthan Discoms
Shri Shubham Arya, Advocate, PSPCL & HPPC
Ms. Shirin Gupta, Advocate, PSPCL & HPPC
Shri Tushar Mathur, Advocate, MSEDCL

Record of Proceedings

Learned senior counsel for the Petitioner, TPCL, submitted that in terms of the APTEL's judgment dated 31.10.2025 in Appeal Nos. 122 of 2025 and Ors., the Commission passed the interim order on 29.4.2026, and the matter is now to be heard for passing the final order. The learned senior counsel, accordingly, sought liberty to file certain additional information/data, including for the supply from March to June 2025, within a week and requested that the matter be thereafter listed for the final hearing.

2. Learned senior counsel for the Respondent, GUVNL, sought liberty to file a response to the data/information to be filed by the Petitioner. Further, referring to the interim order dated 29.4.2026, the learned senior counsel also raised certain objections to the methodology adopted for converting the CFR/CIF prices into FoB prices by subtracting/adjusting the PPA-quoted freight & insurance charges therefrom.

3. In response, the learned senior counsel for the Petitioner submitted that GUVNL cannot reopen the interim order at this stage by oral submissions, and the issues raised by GUVNL may be considered at the stage of final hearing in the matter.

4. Learned counsel for the Respondents, Rajasthan Discoms, sought liberty to file its response to the data/information to be filed by the Petitioner, and added that the Petitioner may be given the final opportunity to file the additional set of data/information.

5. Considering the submissions of the Petitioner and Respondents, the Commission directed the Petitioner to file the following information, along with the additional data/information, within a week:

- (i) Approach for coal procurement and ensuring reasonability of coal price or due diligence while procuring coal, whether the price arrived is based on the index price, competitive bidding, negotiation basis or any other modality.
- (ii) Clarify whether the premium or discount paid is part of the contract with the coal supplier, along with the relevant clause of the contract for the procurement of coal. Submit the details of the premium paid against each shipment, over and above the FOB price of Argus, along with the rationale and benefits received against the premium payment.
- (iii) Submit the Month-wise computation of energy charges from 1.4.2025 till the validity of the directions based on coal consumption during the month. Also submit shipment-wise quantity of coal, sourcing country, GCV, Charges paid

to coal company, charges incurred for transportation through the sea, inland transportation charges, admissible FOB and CIF price of coal, etc.

- (iv) Place on record the details of the computation of the profit to be considered for adjustment in the energy charge rate
 - (v) Break-up of the CFR/DAP price of coal, i.e. FOB, transportation, insurance, and other charges, if available.
 - (vi) Any other information that the Petitioner may consider necessary with regard to the above for arriving at the decision.
6. The Respondents were also permitted to file their response to the same, if any, within a week thereafter.
7. The Petition will be listed for the hearing on **16.6.2026**.

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