

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 248/MP/2026

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 10 of the Power Purchase Agreement dated 18.01.2014 and Schedule 1 Clause VIII of the Power Purchase Agreement dated 20.01.2014 and in terms of this Commission's Order dated 03.06.2019 passed in Petition No. 156/MP/2018 seeking: a) Validation and approval for recovery of the Change in Law compensation, along with the applicable carrying cost/ interest/ late payment surcharge thereof, on account of the additional operational expenditure and additional capital expenditure incurred by the Petitioner towards compliance with the statutory mandate under the Ministry of Environment, Forest & Climate Change Notification dated 25.1.2016 relating to transportation and utilization of fly-ash, which has already been recognized as a Change in Law event by this Commission and the additional expenditure thereof by MB Power has been in principally admitted by this Commission in its Order dated 03.06.2019 passed in Petition No. 156/MP/2018, and; b) Issuance of appropriate directions to Respondents for payment of additional operational expenditure and additional capital expenditure incurred by the Petitioner towards transportation and utilization of the fly-ash along with the applicable carrying cost/ interest/ late payment surcharge.

Petitioner : MB Power (Madhya Pradesh) Limited

Respondents : PTC India Limited and Ors.

Date of Hearing : **20.8.2026**

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

Parties Present : Ms. Puja Priyadarshini, Advocate, UPPCL
Shri Kunal Kashyap, Advocate, UPPCL
Shri Ravi Kishore, Advocate, PTC India Limited
Ms. Deepti Dash, Advocate, PTC India Limited
Shri Akshat Jain, Advocate, MBPL
Shri Sayan Ghosh, Advocate, MBPL

Record of Proceedings

At the outset, the learned counsel appearing for Respondent No. 2, Uttar Pradesh Power Corporation Limited (UPPCL), submitted that the Respondent has



filed its preliminary reply on the maintainability of the Petition on the ground that the Petition is barred by limitation. She further submitted that, if the Commission so directs, the Respondent will also file its reply on the merits and sought three weeks for the same.

2. In response, the learned counsel for the Petitioner submitted that Respondent No.2 filed its preliminary reply only on 13.8.2026 and, accordingly, sought time to file a rejoinder thereto.

3. Considering the submissions made by the learned counsel for the parties, the Commission directed Respondent No. 2, UPPCL, to also file its reply on merits within three weeks, with an advance copy to the Petitioner, who may file its consolidated rejoinder, within two weeks thereafter.

4. The Petition shall be listed for further hearing on **22.10.2026**.

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