

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.251/MP/2023

Subject : Petition under Sections 79 of the Electricity Act, 2003 read with Article 4.2.2 of the Power Purchase Agreement dated 20.08.2019 executed between the Petitioner and Solar Energy Corporation of India Limited (SECI), seeking a declaration that the liability towards the payment of transmission charges towards the Long-Term Open Access (LTA) is not attributable to the Petitioner.

Petitioner : Adani Solar Energy Jaisalmer Two Private Limited (ASEJTPL)

Respondents : Central Transmission Utility of India Limited (CTUIL) and Ors.

Date of Hearing : **17.4.2026**

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

Parties Present : Shri Hemant Singh, Advocate, ASEJTPL
Shri Lakshyajit Singh Bagdwal, Advocate, ASEJTPL
Ms. Lavanya Panwar, Advocate, ASEJTPL
Shri Aditya Vikram Jalan, Advocate, BYPL
Ms. Urvashi Mishra, Advocate, BYPL
Ms. Sadhvi Chhabra, Advocate, BYPL
Shri Shubham Arya, Advocate, CTUIL

Record of Proceedings

At the outset, the learned counsel for the Petitioner requested an adjournment due to the unavailability of the arguing counsel. The learned counsel for Respondent No. 3/BYPL, however, sought liberty to file a reply in the matter. In response, the learned counsel for the Petitioner pointed out that the said Respondent was impleaded almost a year ago, but has failed to file its reply despite multiple opportunities.

2. Considering the request of the learned counsel for the Petitioner, the Commission adjourned the matter.

3. The Petitioner is directed to submit, on an affidavit within three weeks, the following information:

- (a) As per the Petitioner, 150 MW of capacity is not tied up w.e.f. 20.11.2021. However, the Petitioner requested CTUIL as late as 19.4.2023 seeking for change in its LTA beneficiary region from firmed up to Target on retrospective basis. Clarify reasons for such delay in approaching to CTUIL and provisions in the Regulations under which such a retrospective revision has been sought by the Petitioner.
- (b) Specify the PPA provisions which provides that the Petitioner is not liable to pay the transmission charges liability arising out of the LTA Agreement signed between



the Petitioner and CTUIL. How, the SECI will be liable to pay the transmission charges arising out of the LTA Agreement which has been signed between the Petitioner and CTUIL as submitted by the Petitioner?

4. SECI is directed to file its reply within two weeks including on submission of the Petitioner that SECI is liable for payment of transmission charges, with an advance copy to the Petitioner who may file its response within two weeks thereafter.
5. The Petition will be listed for hearing on **16.6.2026**.

By order of the Commission

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