

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 263/MP/2026 along with IA No. 92/2026

Subject : Petition under Section 79 of the Electricity Act, 2003, read with Article 4.5.2 of the Power Purchase Agreement dated 13.08.2024 (as amended) executed between Anboto Solar Private Limited and NTPC Limited, seeking (i) a declaration that the delay in commencement of supply from the Petitioner's solar power project has occurred due to delay in readiness of the ISTS substation at the Delivery Point, including readiness of the power evacuation and transmission infrastructure of the ISTS network and operationalisation of GNA, constituting a delay beyond the control of the Petitioner within the meaning of Article 4.5.2 of the PPA, (ii) consequent revision of the Scheduled Commencement-of-Supply Date in accordance with Article 4.5.2 of the PPA and aligned with the availability of the transmission system, and (iii) consequential reliefs, including waiver of any adverse contractual consequences arising on account of such delay.

Petitioner : Anboto Solar Private Limited (ASPL)

Respondents : NTPC Limited and Ors.

Date of Hearing : **29.6.2026**

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, ASPL
Ms. Mazag Andrabi, Advocate, ASPL
Shri Rikit Shahi, Advocate, ASPL

Record of Proceedings

Learned counsel for the Petitioner, APSL submitted that the present Petition has been filed seeking revision of the Scheduled Commencement of Supply Date (SCSD) of the Petitioner's 300 MW solar power project located in Rajasthan under the Power Purchase Agreement (PPA) dated 13.8.2024 (as amended), on account of delay beyond the control of the Petitioner. He further submitted that none of the Respondents has filed their replies to the IA or the main Petition. He submitted that the interim start date of connectivity of the Petitioner's Project was 30.6.2026 and, accordingly, the SCSD of the Project under the PPA was also fixed as 30.6.2026. However, subsequently, CTUIL vide

its e-mail dated 15.12.2025 informed that the expected GNA operationalisation date for the Petitioner's connectivity is 30.6.2027. As per Article 4.5.2 of the PPA, the Petitioner is entitled to an extension of SCSD to 30 days subsequent to the operationalisation of the connectivity. However, Respondent No. 1/NTPC has refused to grant revision of SCSD solely on the ground that Respondent No. 2/ MSEDCL has not accorded concurrence for such revision of SCSD on the grounds that delay in commissioning would lead to non-adherence to its resource adequacy plan, non-fulfilment of RPO, increase in project cost & GNA charges for it and that MSEDCL is not ready to bear any additional charges due to any event during the extended SCSD period. He also pointed out that Respondent No.1/NTPC vide letter dated 24.6.2026, has indicated that any delay in achieving SCSD will attract the contractual consequences under the PPA, and accordingly, prayed for an interim direction that no coercive or adverse action be taken against the Petitioner on account of non-achievement of SCSD. Further, relying upon the Record of Proceedings dated 24.6.2026 issued in Petition (Diary) No. 450/2026, whereby the Commission has directed the status quo till the next date of hearing, he submitted that a similar direction may be issued in the present matter also.

2. None appeared on behalf of the Respondents, despite notice.

3. Considering the submissions made by the learned counsel for the Petitioner and taking note of the documents placed on record, the Commission directed that status quo be maintained till the next date of hearing. Further, the Commission deemed it appropriate to grant the Respondents another opportunity to file their respective replies to the IA as well as the Petition within two weeks, with a copy to the Petitioner, who may file their rejoinder(s), if any, within two weeks thereafter.

4. The Petition, along with IA, will be listed for the hearing on **6.8.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)