

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.264/MP/2023

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 for claiming compensation due to levy of charges of transportation of fly ash as per the terms of Power Purchase Agreement dated 25.07.2013 executed between the Petitioner and the PTC India Limited and as per the terms of the back to back Power Purchase Agreement executed by PTC India Limited with Uttar Pradesh Power Corporation Limited on behalf of Paschimanchal Vidyut Vitran Nigam Limited, Purvanchal Vidyut Vitran Nigam Limited, Madhyanchal Vidyut Vitran Nigam Limited, Dakshinanchal Vidyut Vitran Nigam Limited dated 25.7.2013 read with Paras 155 and 156 of the order dated 12.6.2019 passed by this Commission in Petition No. 118/MP/2018.

Petitioner : TRN Energy Private Limited (TRNEPL)

Respondents : Paschimanchal Vidyut Vitran Nigam Limited and Ors.

Date of Hearing : **3.3.2026**

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

Parties Present : Shri Matrugupta Mishra, Advocate, TRNEPL
Shri Abhishek Kumar, Advocate, UPPCL
Shri Karan Arora, Advocate, UPPCL

Record of Proceedings

At the outset, the learned counsel for the Respondent, UPPCL, submitted that the Petitioner has not yet complied with the Record of Proceedings dated 3.2.2026, and the matter may be taken up for hearing after the Petitioner furnishes the information/clarification as sought therein.

2. The learned counsel for the Petitioner, opposing the above submission, submitted that the matter be heard finally today and ought not to be deferred any further.

3. The Commission, however, observed that the Petitioner had yet not responded to the information/clarification sought *vide* Record of Proceedings dated 3.2.2026, including on the award of contract to Refex Industries Ltd. through negotiation instead of a competitive bidding. In response, the learned counsel for the Petitioner, on instructions, submitted that the work order to Refex Industries was awarded after a tender. Further, in response to the pointed query whether the Petitioner wishes to file



any further response to the said Record of Proceedings before the conclusion of the hearing and reserving of the order, the learned counsel for the Petitioner, while answering in the affirmative, sought a week's time to file the compliance affidavit.

4. In view of the above, the Commission permitted the Petitioner to file its compliance affidavit in terms of the Record of Proceedings dated 3.2.2026 within a week.

5. The matter remained part-heard and will be listed for final hearing on **7.5.2026**.

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