

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 270/MP/2026

Subject : Petition under Section 94 (1) (f) of the Electricity Act, 2003 read with Regulation 65, 66, 67 and 68 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 2023 seeking compensation for loss of capacity charge on account of inadequate availability of fuel/gas and relaxation in the norms of normative plant availability factor (NAPAF) in terms of regulation 70(a)(a) as read with regulation 102 (power to relax) and regulation 103 (power to remove difficulty) of the CERC (Terms and Condition of Tariff) Regulations, 2024 in respect of the Tripura gas based Power Station (On admission).

Petitioner : NEEPCO

Respondent : TSECL and Anr.

Date of Hearing : **9.10.2026**

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

Parties Present : Shri Shubham Arya, Advocate, NEEPCO
Ms. Harsha Parakh, Advocate, NEEPCO
Shri Venkatesh, Advocate, TSECL
Shri Ashutosh Srivastava, Advocate, TSECL
Shri Vikas Maini, Advocate, TSECL
Shri Mohit Mansharamani, Advocate, TSECL
Ms. Ananya Dutta, Advocate, TSECL
Shri Aditya Garg, Advocate, TSECL

Record of Proceedings

During the hearing, learned counsel for the Petitioner submitted that the Petitioner had furnished the additional information sought by the RoP for the hearing dated 16.7.2026. He further submitted that the Respondent, TSECL, had filed its reply to the Petition and that the Petitioner had filed its rejoinder thereto.

2. Learned counsel for the Respondent, TSECL, submitted that the Respondent, TSLDC, had been issued notice and directed, vide the RoP for the hearing dated 16.7.2026, to verify and validate the data pertaining to the alleged shortfall in availability and identify any discrepancies, if any. However, TSLDC had not filed its response. Concurring with this submission, the learned counsel for the Petitioner requested that notice be issued afresh to TSLDC.



3. The learned counsel for the Respondent, TSECL, further requested that the Petitioner be directed to place the complete Gas Supply Agreement (GSA) on record, to which the learned counsel for the Petitioner agreed.

4. The Commission, after hearing the parties, directed as under:

(a) Issue notice afresh to the Respondent, TSLDC.

(b) The Petitioner to file the following additional information, on an affidavit, after serving a copy to the Respondents, on or before **28.10.2026**:

i. *The relevant provisions of the GSPA governing Liquidated Damages (LD) for shortfall/non-supply of contracted gas. Whether any LD claim was raised against the supplier on account of gas shortfall? If so, provide details of the claim notices issued, amount claimed, amount recovered/settled, and the present status of the claim, along with supporting documents. In case no LD claim was raised, or no amount was recovered, the reasons therefor shall be furnished.*

ii. *The provisions under the Gas Supply Agreement (GSA) regarding penalty, compensation, or any other remedy in the event of a short supply of gas by the supplier? The Petitioner shall specify whether such provisions have been invoked during the relevant period, and if not, provide reasons for the same.*

(c) The Respondent, Tripura SLDC, shall verify and validate the data submitted by the Petitioner pertaining to the alleged shortfall in availability and identify any discrepancies, if any, on or before **13.11.2026**.

5. The Petition shall be listed for hearing on **17.11.2026**.

By order of the Commission

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

