

**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 CERC (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.

Petitioner : NEEPCO

Respondent : TSECL and Anr.

Date of Hearing : **16.7.2026**

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

Parties Present : Ms. Poorva Saigal, Advocate, NEEPCO
Ms. Shirin Gupta, Advocate, NEEPCO
Ms. Kaavya Madaan, Advocate, NEEPCO
Shri Vikas Maini, Advocate, TSECL
Shri Ankit Banati, Advocate, TSECL
Shri Deepak Mahajan, Advocate, TSECL
Shri Sanchit Sehgal, Advocate, TSECL

Record of Proceedings

The matter was called out for a hearing on 'admission'.

2. During the hearing, the learned counsel for the Petitioner submitted that the present Petition has been filed, seeking relaxation of the Target Availability and recovery of Capacity Charges to the extent impacted by the non-availability of fuel for reasons not attributable to the Petitioner. He further submitted that the Petitioner had entered into a Gas Supply Agreement (GSA) dated 5.6.2008 with ONGC for the supply of 0.5 MMSCMD of natural gas. However, during FY 2024-25, ONGC was unable to supply the contracted quantity of gas, with the monthly average supply ranging between 0.1565 MMSCMD and 0.459 MMSCMD. The learned counsel added that the Petitioner has also prayed for relaxation of the Normative Annual Plant Availability Factor (NAPAF) for the Tripura Gas-Based Power Station (TGBPS) to 70% until the national gas grid is established in the region.



3. The learned counsel for Respondent, TSECL, accepted the notice and sought time to file its reply in the matter.

4. After hearing the learned counsel for the Petitioner, the Commission directed as under:

(a) Admit the Petition and issue notice to the Respondents.

(b) The Petitioner shall submit the following additional information, on an affidavit, on or before **11.08.2026**, after serving a copy on the Respondents:

The relaxation in the Normative Annual Plant Availability Factor (NAPAF) sought by the Petitioner for the entire financial year 2024–25 clearly quantifying the extent of the shortfall attributable to gas unavailability as distinct from other causes in the given table.

Month	Capacity Charges at 85% PAF (Rs. Cr)	Generation required to achieve 85% PAF (MU)	Scheduled Power	Actual generation /DC (MU)	Shortfall in generation attributable to all factors (MU)	Shortfall in generation attributable to gas unavailability (MU)	Actual shortfall of Capacity Charges attributable to gas unavailability (Rs. Cr)	Availability of the plant as sought for by NEEPCO (excluding shortfall on account of factors other than gas) (%)

(c) The Respondent, Tripura SLDC, shall verify and validate the data pertaining to the alleged shortfall in availability and identify any discrepancies, if any, on or before **8.9.2026**.

(d) The Respondents to file their respective replies on or before **8.9.2026**, after serving a copy on the Petitioner, who may file its rejoinder, if any, on or before **22.9.2026**.

5. The Petition shall be listed for hearing on **6.10.2026**.

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

