

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 289/MP/2024

Subject : Petition seeking compensation for loss of capacity charge on account of inadequate availability of fuel/gas in terms of Regulation 76 (power to relax) of the CERC (Terms and Conditions of Tariff) Regulations, 2019, in respect of the Agartala gas-based power station.

Petitioner : NEEPCO

Respondent(s) : APDCL and 6 Ors.

Date of hearing : **23.12.2025**

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. Pallavi Saigal, Advocate, NEEPCO
Ms. Kaavya Madaan, Advocate, NEEPCO
Shri Ripunjoy Bhuyan, Advocate, NEEPCO
Shri Abhijeet Mazumdar, Advocate, NEEPCO

Record of Proceedings

During the hearing, the learned counsel for the Petitioner submitted that though the Tariff Regulations require an availability of 85% for the 2023–24, the Petitioner was able to achieve only 75.961%, due to a lesser quantum of gas supplied by ONGC, thereby resulting in the loss of capacity charges of Rs. 7.195 crore. She further submitted that the additional information sought vide the RoP of the hearing dated 29.4.2025 has been filed, vide affidavit dated 22.5.2025, after serving a copy on the Respondents.

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

3. The Commission, after hearing the learned counsel for the Petitioner, permitted the Respondents to file their replies on the additional information, within two weeks (if not already filed), and the Petitioner to file its rejoinders, within two weeks thereafter. Subject to this, the order in the petition was reserved.

By order of the Commission

**Sd/-
(B. Sreekumar)
Joint Chief (Law)**

