

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 301/MP/2024 along with IA No.1/2026

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Rule 3 of the Electricity (Timely Recovery of Costs due to Change in Law) Rules, 2021, for directions to Haryana Power Purchase Centre to pay Change in Law compensation along-with Carrying Cost in terms of Order dated 20.01.2024 passed by this Hon'ble Commission in Petition No. 242/MP/2023.

Petitioner : MB Power (Madhya Pradesh) Limited (MBPL)

Respondents : Haryana Power Purchase Centre (HPPC) and Ors.

Date of Hearing : **20.1.2026**

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

Parties Present : Shri Amit Kapoor, Advocate, MBPL
Shri Akshat Jain, Advocate, MBPL
Shri Shikhar Verma, Advocate, MBPL
Ms. Shyenika Upadhyay, Advocate, MBPL
Ms. Poorva Saigal, Advocate, HPPC
Ms. Kaavya Madan, Advocate, HPPC

Record of Proceedings

Learned counsel for the Petitioner submitted that the IA has been filed, *inter alia*, seeking directions to the Respondent, HPPC, to forthwith reconcile the Change in Law compensation amount payable to the Petitioner for the power supplied from April 2024 to July 2025, along with the carrying cost and Late Payment Surcharge (LPS) thereon, in terms of the Commission's Order dated 20.1.2024 in Petition No. 242/MP/2023, and thereafter pay Rs. 40,53,11,345/- as Change in Law compensation for the period from April 2024 to July 2025, and Rs. 28,59,79,825/- as carrying cost and LPS up to 18.7.2025 (i.e. PPA expiry date). The learned counsel further submitted that, as per the reconciliation statement dated 25.7.2024 for the supply period till 31.3.2024, HPPC has only paid Rs. 168.7 crore against the admitted amount of Rs. 179.58 crore and, HPPC be, therefore, directed to make the payment of the balance admitted amount of Rs. 10.88 crore along with carrying cost/LPS of Rs. 1.65 crore (as of 16.1.2026).

2. Learned counsel for the Respondent, HPPC, however, sought time to seek necessary instructions on these claims and, while accepting the notice, sought liberty to file a reply to the IA. The learned counsel further pointed out that the Petitioner is computing the Change in Law compensation by claiming the difference between the

actual cost of procurement of alternate coal and the notional cost of procurement of linkage coal from SECL in terms of the FSA dated 26.3.2013. Whereas, as per the Respondent, the Petitioner is only entitled to the difference between the actual cost of procurement of coal and the quoted variable rate under the agreement, and the matter thus requires an adjudication on the manner of computation of Change in Law compensation.

3. Considering the submissions made by the learned counsels for the parties, the Commission directed the Respondents to file its reply to the IA within two weeks with an advance copy to the Petitioner, who may file its rejoinder within a week thereafter.

4. The Petition, along with the IA, will be listed for the hearing on **12.2.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)