

CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI

Petition No. 335/MP/2024

Subject : Petition under Section 79 (1) (b) and (f) of the Electricity Act, 2003 read with the provisions of PPA dated 26.12.2005 and the Tariff Regulations of CERC - seeking to continue the pricing of coal for the from 1.4.2019 to 31.5.2020 as modified by order dated 13.1.2023 in Petition No. 155/MP/2019, and to pass on the benefit from sale of fly ash and coal.

Petitioner : PCKL and Ors.

Respondent(s) : Adani Power Ltd.

Date of hearing : **16.6.2026**

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

Parties Present : Shri S. Vallinayagam, Advocate, PCKL
Shri Bhavya Arora, Advocate, PCKL
Shri Subham Bhut, Advocate, Adani Power Ltd.

Record of Proceedings

The matter was called out for a hearing through virtual mode.

2. At the outset, the learned counsel for the Petitioner sought an adjournment of the matter on account of the non-availability of the learned senior arguing counsel. The learned counsel appearing for the Respondent did not oppose the said request.

3. The Commission, after hearing the parties, adjourned the matter and directed the parties to furnish the following additional information, on or before **3.7.2026**, after serving a copy on the other side:

- (a) *The parties to file their respective submissions on the issue of limitation, specifically indicating the date on which the cause of action is stated to have arisen in respect of each of the reliefs sought in the present petition and the basis thereof;*
- (b) *The Petitioner to clarify the legal and factual basis for seeking application of the methodology prescribed in paragraph 137 of the Commission's Order dated 13.1.2023 in Petition No. 155/MP/2019 to the period from 1.4.2019 to 31.5.2020. The Respondent shall furnish its response thereto;*

- (c) *The Petitioner and the Respondent are to clarify whether the coal procured during the period from 1.4.2019 to 31.5.2020 was procured entirely on a spot basis or partly under any medium-term/long-term arrangement. The Respondent Adani Power Limited shall furnish month-wise details of coal procurement during the period from 1.4.2019 to 31.5.2020, including source, supplier, quantity, quality parameters, FOB price, freight and insurance charges, CIF price claimed in energy charges, nature of procurement (spot/long-term);*
- (d) *The Respondent Adani Power Limited to furnish year-wise details of revenue earned from the sale of fly ash and sale of coal, if any, along with details and quantity sold, associated expenditure incurred, accounting treatment adopted and treatment of such receipts in tariff. The parties shall also identify the relevant provisions of the PPA and applicable Regulations relied upon in support of their respective claims;*
- (e) *The Petitioner to furnish detailed computations of the amounts claimed, including the impact of application of paragraph 137 of the Order dated 13.1.2023, sharing of benefits from the sale of fly ash/coal, and carrying cost claimed thereon, along with supporting calculations and documents.*
4. The parties are permitted to file their responses, if any, to the submission/information furnished by the other side on or before **17.7.2026**.
5. The Petition shall be listed for hearing on **30.7.2026**.

By order of the Commission

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