

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 41/MP/2023 along with IA No.6/2023**

Subject : Petition under Section 79 of the Electricity Act, 2003 to challenge the Respondents' wrongful action of insisting upon additional requirements, which are contrary to contractual terms and provisions of the Power Purchase Agreement, for processing invoices and the communications of the Respondents calling upon solar/ wind power generators to obtain separate connections from Distribution Companies and avail power as per prevailing tariff category during the periods when their plant does not generate electricity.

Petitioner : Solar Power Developers Association (SPDA)

Respondent : Solar Energy Corporation of India Limited and Ors.

Date of Hearing : **6.1.2026**

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

Parties Present : Shri Ankur Sood, Advocate, SPDA  
Ms. Puja Priyadarshini, Advocate, UPPCL  
Shri Rishabh Bhardwaj, Advocate, UPPCL  
Shri Venkatesh, Advocate, NTPC

**Record of Proceedings**

During the hearing, the learned counsel for the Petitioner submitted that the present Petition has been filed challenging the Respondents' wrongful action of insisting upon additional requirements, which are contrary to the contractual terms and provisions of the Power Purchase Agreements, for processing invoices and the communications of the Respondents calling upon solar/wind power generators to obtain the separate connections from the distribution companies and avail power as per the prevailing tariff categories during the periods when their plant does not generate electricity. He further submitted that the Petitioner is contesting the actions of the Respondents mainly on the following counts: (i) the impugned communications are against the long-standing industry practices and seek to change the PPAs to the disadvantage of RE developers; (ii) the generating companies cannot be treated as consumer for their auxiliary consumption; (iii) inapplicability of the UPERC CRE Regulations, 2019 to the RE projects established under JNNSM and having a composite scheme; (iv) discriminatory treatment of renewable energy generators vis-à-vis conventional power projects in relation to auxiliary power consumption; and (v) without prejudice, UPERC CRE Regulations 2019 would constitute a Change in Law event. He further referred to his written submissions and made detailed submissions

on the grounds (i) to (iii) as indicated above. However, due to a paucity of time, his arguments could not be concluded.

2. The matter remained part-heard and will be listed for hearing on **3.2.2026**.

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