

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.757/MP/2025 along with IA No.93/2025

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Section 11 (2), along with Regulation 111-113 of the CERC Conduct of Business Regulations, 1999 *inter-alia* seeking pass through of energy charges (ECR) for the power supplied to the Respondent No. 11 Tamil Nadu Power Distribution Company Limited (TNPDC) under the Power Purchase Agreement dated 19.12.2013, in terms of the directions dated 20.2.2023, 31.3.2023, 12.6.2023, 23.8.2023, 23.10.2023, 12.4.2024, 15.10.2024, 27.12.2024, 28.2.2025, 30.4.2025 issued by the Ministry of Power, Government of India under Section 11 (1) of the Electricity Act, 2003.

Petitioner : Coastal Energen Private Limited (CEPL)

Respondents : Tamil Nadu Power Distribution Company Ltd. (TNDPCL) and Anr.

Date of Hearing : **29.4.2026**

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

Parties Present : Shri Sanjay Sen, Sr. Advocate, CEPL
Shri Hemant Singh, Advocate, CEPL
Shri Lakshyajit Singh, Advocate, CEPL
Ms. Lavanya Panwar, Advocate, CEPL
Ms. Roberta Ruth Elwin, Advocate, CEPL
Ms. Neha Dabral, Advocate, CEPL
Ms. Anusha Nagarajan, Advocate, TNPDC
Shri Rahul Ranjan, Advocate, TNPDC

Record of Proceedings

At the outset, the learned counsel for the Respondent/TNDPCL requested an adjournment due to the unavailability of the arguing counsel.

2. The learned senior counsel for the Petitioner submitted that the Commission *vide* order dated 22.5.2025 in Petition No. 161/MP/2022 has already laid down the methodology for determining the energy charges for the electricity supplied by the Petitioner to the Respondent/TNDPCL under the previous *Section 11 Directions* dated 20.5.2022, as extended from time to time and the same principles need to apply in this case, filed seeking determination of energy charges for the electricity supplied under subsequent *Section 11 Directions* dated 20.2.2023, as extended from time to time. The learned senior counsel also added that the Respondent/TNDPCL has challenged the Commission's order dated 22.5.2025 before the APTEL, and in accordance with APTEL's directions therein, TNDPCL has made payment of 50% of the total demand raised as per the order dated 22.5.2025.

3. Considering the request of the learned counsel for the Respondent/TNDPCL, the Commission adjourned the matter. In order to work out the methodology for adverse financial impact under section 11(2) of the Act, the Commission directed the Petitioner to place on record the following information, on an affidavit, within two weeks:

a) Shipment-wise (redacting the name of vessel or supplier or any other sensitive information) FOB cost of coal, mode of procurement (FOB or CFR basis), freight, insurance, handling charges (loading and unloading), taxes and duties, landed cost of coal, GCV at Bill of Lading, consumption GCV and operational parameters;

b) Month-wise computation of Energy Charge Rates (ECR), during the subsistence of Section 11 directions, along with the breakup of FOB cost of coal, freight, insurance, handling charges (loading and unloading), taxes duties, landed cost of coal, actual date of bill of lading and receipt at destination port, GCV at Bill of Lading and consumption GCV and operational parameters considered by the Petitioner in its claim.

c) Month-wise computation of ECR claimed *vis-à-vis* ECR as per the MOP Committee, along with supporting documents, scheduled energy to the beneficiaries open market and amount claimed;

d) List of the contract for procurement of coal (redacting the name of supplier) along with source of coal, quantity of coal, price considerations, basis of arriving at the considerations in the contract, i.e. competitive bidding, index-based or negotiations and any other measures/checks followed to ensure the reasonability of price considerations;

e) Day-wise and beneficiary-wise details of declared capacity, scheduled energy (beneficiary-wise and open market) during the period from 16.4.2023 to 30.6.2025.

4. The Petition will be listed for hearing on **16.6.2026**.

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