

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 536/MP/2020 along with IA Nos. 71/2020, 72/2020 and 2/2021

Subject : Petition under Section 79(1) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for clarification and modification of GST/Safeguard Duty Orders, issuance of directions to the Buying Utilities/Distribution Utilities for immediate payment and application of the orders commonly to all the similar placed project developers and Buying Utilities/Distribution Companies.

Petitioner : Solar Energy Corporation of India Limited (SECI)

Respondents : Azure Power Venus Private Limited and 52 Ors.

Petition No. 454/MP/2019 along with IA No. 19/2020

Subject : Petition filed under Section 142 of the Electricity Act, 2003 for non-compliance of the Commission's directions contained in the order dated 9.10.2018 in Petition Nos. 201/MP/2017, 202/MP/2017, 203/MP/2017 and 204/MP/2017.

Petitioner : ACME Kaithal Solar Power Private Limited and Ors.

Respondents : Solar Energy Corporation of India Limited and Ors.

Petition No. 457/MP/2019 along with IA No. 18/2020

Subject : Petition filed under Section 142 of the Electricity Act, 2003 for non-compliance of the Commission's directions contained in the order dated 9.10.2018 in Petition Nos. 188/MP/2017, 189/MP/2017 and 190/MP/2017.

Petitioner : ACME Bhiwadi Solar Power Private Limited and Ors.

Respondents : Solar Energy Corporation of India Limited and Ors.

Petition No. 500/MP/2019 along with IA No. 20/2020

Subject : Petition filed under Section 142 of the Electricity Act, 2003 for non-compliance of the Commission's directions contained in the order dated 2.5.2019 in Petition Nos. 342/MP/2018 and 343/MP/2018.

Petitioner : ACME Rewa Solar Energy Private Limited and Anr.

Respondents : Solar Energy Corporation of India Limited (SECI) and Ors.

Petition No. 158/MP/2020 along with IA No. 35/2020



Subject : Petition under Section 79(1)(f) and Section 94 of the Electricity Act, 2003 and Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 read with Section 151 of Code of Civil Procedure seeking clarification of order dated 5.2.2019 in Petition Nos. 178/MP/2019 and 189/MP/2019.

Petitioner : ACME Jodhpur Solar Power Private Limited and Anr.

Respondents : Solar Energy Corporation of India Limited and Anr.

Petition No. 373/MP/2020

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 seeking approval of Annuity model in terms of the Central Electricity Regulatory Commission (Terms and Conditions for Tariff Determination from Renewable Energy Sources) Regulations, 2017 for recovering Safeguard Duty claim on account of Change in Law from M.P Power Management Company Limited and Delhi Metro Rail Corporation as per the order dated 15.10.2019 in Petition No. 19/MP/2019.

Petitioner : ACME Jaipur Solar Power Private Limited

Respondents : M.P Power Management Company Limited and Ors.

Date of Hearing : 22.4.2021

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Parties Present : Shri M. G. Ramachandran, Sr. Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI
Ms. Poorva Saigal, Advocate, SECI
Ms. Shrishti Khindaria, Advocate, SECI
Shri Hemant Sahai, Advocate, ACME, Clean Solar, Solitaire, SB Energy Three & Four, SBG Cleantech
Shri Shreshth Sharma, Advocate, ACME, Clean Solar, Solitaire, SB Energy Three & Four, SBG Cleantech
Ms. Jyotsna Khatri, Advocate, ACME, Clean Solar, Solitaire, SB Energy Three & Four, SBG Cleantech
Shri Rahul Jajoo, Advocate, Tata Power Renewable
Shri Anand Ganesan, Advocate, Rajasthan Discoms
Ms. Swapna Seshadri, Advocate, Rajasthan Discoms
Shri Ashwin Ramanathan, Advocate, Rajasthan Discoms
Shri Shashwat Kumar, Advocate, Azure Power Venus
Shri Rahul Chouhan, Advocate, Azure Power Venus
Shri Naman Mittal, Advocate, Azure Power Venus
Shri Sujit Ghosh, Advocate, SBEFPL
Ms. Mannat Waraich, Advocate, SBEFPL

Ms. Pratiksha Chaturvedi, Advocate, SBEFPL
Shri Sumant Nayak, Advocate, CSEPL
Shri Samiron Borkataky, Advocate, CSEPL
Ms. Shradhha Chaudhri, Advocate, CSEPL
Shri Paramhans Sahani, Advocate, MPPMCL
Shri V. Bhardwaj, Advocate, MPPMCL
Shri Tarun Johri, Advocate, DMRC
Shri Ajay Kumar Sinha, SECI
Shri Uday Pavan Kumar Kruthiventi, SECI
Shri Abhinav Kumar, SECI
Shri Amit Gupta, ACME
Ms. Meghna Chandra, ACME
Shri Sanjay V Kute, DMRC
Shri Harsh Arya, DMRC

Record of Proceedings

Cases were called out for virtual hearing.

2. Learned senior counsel for the Petitioner, SECI and the learned counsels for the Respondents made their detailed submissions mainly on the aspects of (i) annuity model viz. discounting factor, period of payment; (ii) cut-off date for payment of compensation; (iii) late payment surcharge/interest on lump-sum payment; (iv) implication of tax, duties, levies on monthly annuity payment; and (v) direction to buying utilities/ distribution licensees to make payments for reconciled amounts.

3. Based on the requests of the learned senior counsel and learned counsels for the parties, the Commission directed SECI to file its written submissions by 3.5.2021 and the Respondents may file their respective written submissions/responses, if any, by 14.5.2021. The due date of filing of written submissions should be strictly complied with.

4. Subject to the above, the matters were reserved for orders.

By order of the Commission

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