

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 156/MP/2014

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 13 of the Power Purchase Agreements dated 7.8.2008 executed between Uttar Haryana Bijli Vitran Nigam Limited/ Dakshin Haryana Bijli Vitran Nigam Limited and Adani Power Limited.

Date of Hearing : 30.7.2021

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

Petitioner : Adani Power Limited (APL)

Respondents : Uttar Haryana Bijli Vitran Nigam Limited and Anr.

Parties Present : Shri Amit Kapur, Advocate, APL
Shri Akshat Jain, Advocate, APL
Shri Raghav Malhotra, Advocate, APL
Shri M. G. Ramachandran, Sr. Advocate, Haryana Utilities
Ms. Ranjitha Ramachandran, Advocate, Haryana Utilities
Shri Shubham Arya, Advocate, Haryana Utilities
Shri M. R. Krishnarao, APL
Shri Sameer Ganju, APL
Shri Mehul Rupera, APL
Shri Tanmay Vyas, APL
Shri

Record of Proceedings

Case was called out for virtual hearing.

2. Learned counsel for the Petitioner submitted that the present Petition has been re-listed pursuant to the judgment of Appellate Tribunal for Electricity ('APTEL') dated 7.6.2021 in Appeal Nos. 158 and 316 of 2017, wherein the APTEL has directed the Commission to make computation of the compensation in respect of allowed Change in Law events (i.e. Busy Season Surcharge and Development Surcharge on transportation of coal) and carrying cost on deferred payments in terms of the said judgment. Learned counsel further submitted that pursuant to the said judgment, the Petitioner vide its letter dated 14.6.2021 has placed on record the relevant data along with computation of its claims.

3. At the outset, learned senior counsel for the Respondents, Haryana Utilities submitted that the Respondents have received voluminous data and the computations as furnished by the Petitioner very recently and accordingly, requested for time to file their response thereon.

4. After hearing the learned counsel for the Petitioner and learned senior counsel for the Respondents, Haryana Utilities, the Commission directed the parties to mutually reconcile the claims of the Petitioner within four weeks. In case of any unreconciled issues, the same may be brought to the notice of the Commission during the next course of hearing. After the completion of reconciliation exercise, the parties are further directed to file their respective response within one week thereafter.

5. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

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