

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 188/MP/2022

- Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Power Purchase Agreement dated 31.05.2019 between Sembcorp Energy India Ltd. and NTPC Vidyut Vyapar Nigam Ltd. for recovery of pending Energy Compensation Bills for the months of April – June 2020 along with Late Payment Surcharge on the pending amounts.
- Date of Hearing : 11.10.2022
- Coram : Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Sembcorp Energy India Limited.
- Respondents : NTPC Vidyut Vyapar Nigam Ltd.(NVVN)
- Parties Present : Shri Vishrov Mukherjee, Advocate for the Petitioner
Shri Rohit Venkat, Advocate for the Petitioner

Record of Proceedings

The learned counsel for the Petitioner submitted that the present Petition has been filed for seeking direction to the Respondent, NVVN to pay outstanding energy compensation bills for the month of April, May and June, 2020 and surcharge/late payment surcharge thereon. The learned counsel for the Petitioner submitted that on 7.5.2020, the Petitioner raised energy compensation bills for the month of April, 2020 in accordance with the PPA. However, the Respondent refused to pay the bills on pretext of Covid 19 pandemic, as a force majeure event. Learned counsel requested to admit the Petition and issue notice to the Respondent.

2. After hearing the learned counsel for the Petitioner, the Commission ordered as under:
- (a) Admit. Issue notice to the Respondent.
 - (b) The Petitioner to serve copy of the Petition on the Respondent and the Respondent to file its reply to the Petition, if any, within four weeks after serving copy of the same to the Petitioner, who may file its rejoinder within four weeks thereafter.
 - (c) Parties to comply with the above directions within specified timeline and no extension of time shall be granted.
3. The Petition shall be listed for hearing on 10.1.2023.

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