

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.54/MP/2023

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 13.2(b) of the Power Purchase Agreement dated 2.2.2007, Article 3.7 of the Supplemental Power Purchase Agreement dated 05.12.2018 and Recital O(d) of the Supplemental Power Purchase Agreement dated 30.03.2022 entered with Gujarat Urja Vikas Nigam Ltd. seeking Change in Law compensation.

Date of Hearing : **16.5.2023**

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

Petitioner : Adani Power (Mundra) Limited (APMuL)

Respondent : Gujarat Urja Vikas Nigam Limited (GUVNL)

Parties Present : Shri Saunak Rajguru, Advocate, APMuL
Shri M. G. Ramachandran, Sr. Advocate, GUVNL
Ms. Srishti Khindaria, Advocate, GUVNL
Ms. Swapna Seshadri, Advocate, GUVNL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* seeking approval of Change in Law event viz. enactment of Notification S.O No. 3305(E) dated 7.12.2015 by the Ministry of Environment, Forest and Climate Change- mandating adoption of several emission control norms-under Article 13.2(b) of the Power Purchase Agreement dated 2.2.2007 read with Article 3.7 of the Supplemental Power Purchase Agreement dated 5.12.2018 and Recital O(d) of the Supplemental Power Purchase Agreement dated 30.3.2022 as executed with GUVNL for supply of power from Units 5 & 6 of the Petitioner.

2. Learned senior counsel for the Respondent, GUVNL submitted that he has no objection on the admissibility of the Petitioner. Learned senior counsel accepted the notice and sought time to file reply to the Petition.

3. After hearing the learned counsel for the Petitioner and the learned senior counsel for Respondent, GUVNL, the Commission ordered as under:

(a) Admit.



(b) The Petitioner to serve copy of the Petition on the Respondent and the Respondent to file its reply, if any, within four weeks with copy to the Petitioner who may file its rejoinder, within four weeks thereafter.

(c) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.

4. The Petition shall be listed for hearing on 13.9.2023.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)