

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.356/MP/2022

Subject : Petition under Section 79(1)(f) of the Electricity Act 2003 seeking declaration/ approval of Change in Law events and compensation on account of increase in cost of power generation by MB Power (Madhya Pradesh) Limited due to mandatory blending of domestic coal with imported coal in compliance of the directives issued by Ministry of Power, Government of India, which constitute as Change in Law event in terms of Article 21 of the Agreement for Procurement of Power dated 18.5.2022.

Date of Hearing : **29.5.2023**

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

Petitioner : MB Power (Madhya Pradesh) Limited (MBPMPL)

Respondents : Haryana Power Purchase Centre (HPPC) and 2 Ors.

Parties Present : Shri Amit Kapur, Advocate, MBPMPL
Shri Akshat Jain, Advocate, MBPMPL
Ms. Shefali Tripathi, Advocate, MBPMPL
Shri Abhishek Gupta, MBPMPL
Shri Shubham Arya, Advocate, HPPC
Ms. Poorva Saigal, Advocate, HPPC
Ms. Pallavi Saigal, Advocate, HPPC
Shri Ravi Nair, Advocate, HPPC
Ms. Shikha Sood, Advocate, HPPC
Ms. Anumeha Smiti, Advocate, HPPC
Ms. Reeha Singh, Advocate, HPPC

Record of Proceedings

During the course of the hearing, the learned counsel for the Petitioner and the Respondent, HPPC circulated their respective notes of arguments and made detailed submissions in the matter.

2. Based on their request, the Commission permitted the Petitioner and the Respondents to file their written submissions in the matter within two weeks.

3. The Commission also directed the Petitioner and the Respondents to clarify on an affidavit how the claims are covered under the Change in Law provisions of

the Agreement for Procurement of Power (APP) in terms of Article 21.1 and the definition of law under Article 1.2.1 (b) of the APP.

4. Subject to the above, the Commission reserved the matter for order.

By order of the Commission

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