

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.12/MP/2019

Subject : Petition under Sections 79 (1) (c), (f), (k) and other applicable provisions of the Electricity Act, 2003 in connection with the disputes and differences arising due to breach of Power Purchase Agreement dated 8.8.2005 entered between it and Nuclear Power Corporation of India Limited and allowing the claim for damages.

Petitioner : MP Power management Company Limited

Respondents : Nuclear Power Corporation of India Ltd. (NPCIL) & ors.

Date of hearing : **9.5.2019**

Coram : Shri P.K.Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S.Jha, member

Parties present : Shri Ravi Sharma, Advocate, MPPMCL
Shri Ashok Rajan, Advocate, WRLDC

Record of Proceedings

The Petitioner, MPPMCL has filed this petition seeking adjudication of dispute on account of breach of PPA by the Respondent, NPCIL due to non-declaration of DC and supply of 93 MW from its Kakarpar Atomic Power Station (KAPS) Units-I & II and for payment of damages & compensation from NPCIL on this account.

2. During the hearing, the learned counsel for the Petitioner, MPPMCL submitted that the Petitioner had entered into PPA dated 8.8.2005 with NPCIL for the fixed allocated capacity of 93 MW from KAPS Units- 1 & 2. However, NPCIL, without any prior notice / information to the Petitioner, stopped supply of power from April, 2016 till September 2018, which compelled the Petitioner to purchase expensive energy from alternate sources.

3. On a specific query by the Commission as to whether any discussion has taken place to settle the issues between the State and central Government, the learned counsel for the Petitioner replied in the negative. He, however, submitted that details, if any, in this regard shall be brought to the notice of the Commission.

4. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed issue of notice to the Respondent.

5. The Commission directed the Petitioner to serve copy of the Petition on the Respondent, if not already served, on or before **15.5.2019**. The Commission also directed the Respondent to file its reply by **5.6.2019**, with advance copy to the Petitioner, who may file its rejoinder, if any, by **12.6.2019**.

6. Matter shall be listed for hearing in due course for which separate notice shall be issued to the parties. Pleadings shall be completed by the parties prior to the date of hearing.

By order of the Commission

Sd/-
(B.Sreekumar)
Dy. Chief (Law)

