

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Date of Hearing: 20.3.2019

Petition No. 208/MP/2018

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 and Article 10 of the Power Purchase Agreement dated 19.8.2013 entered into between the Petitioner and the Respondent, seeking approval of the cost to be incurred by the Petitioner on account of change in law, for installation/retrofit of 'Electrostatic Precipitators' (ESP), installation of Flue Gas Desulphurisation (FGD), installation of low Nox burners, providing Over Fire Air (OFA) and any other measures for compliance of the notification dated 7.12.2015 issued by the Ministry of Environment and Forests and Climate Change, Government of India in respect of Thermal Power Plants installed/commissioned after 1.1.2003; and for other claims on account of Change in Law under the Power Purchase Agreement.

Petitioner : DB Power Limited

Respondents : TANGEDCO and Others

Petition No. 213/MP/2018

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 and Article 10 of the Power Purchase Agreement dated 1.11.2013 entered into between the Petitioner and the Respondent, seeking approval of the cost to be incurred by the Petitioner on account of change in law, for installation/retrofit of 'Electrostatic Precipitators' (ESP), installation of Flue Gas Desulphurisation (FGD), installation of low Nox burners, providing Over Fire Air (OFA) and any other measures for compliance of the notification dated 7.12.2015 issued by the Ministry of Environment and Forests and Climate Change, Government of India in respect of Thermal Power Plants installed/commissioned after 1.1.2003; and for other claims on account of Change in Law under the Power Purchase Agreement.

Petitioner : DB Power Limited

Respondents : PTC India Limited and Others

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

Parties present : Shri Deepak Khurana, Advocate, DBPL
Shri Tejasv Anand, Advocate, DBPL
Ms. Swapna Seshadri, Advocate, RUVNL

Shri Ashwin Ramanathan, Advocate, RUVNL
Shri Aashish Anand Bernard, Advocate, PTC India
Shri Paramhans Sahani, Advocate, PTC India

Record of Proceedings

Learned counsel for the Petitioner sought permission to withdraw the prayer made in both the Petitions with regard to the approval of expenditure to be incurred on account of amendment in Environmental Norms and installation of FGD system with liberty to approach the Commission at the appropriate stage in accordance with law. Learned counsel for Rajasthan Urja Vikas Nigam Ltd. (RUVNL) had no objection in this regard. Request was allowed by the Commission.

2. Learned counsel for the Petitioner further requested for two weeks time to file the rejoinder to the reply filed by RUVNL.

3. After hearing the learned counsels for both the parties, the Commission directed the Petitioner to file its rejoinder, by 10.4.2019. The Commission directed that due date of filing the rejoinder should be strictly complied with. No extension shall be granted on that account.

4. The Petitions shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**