

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 21/MP/2019
Alongwith IA No.14/2019**

Subject : Petition under Section 79 (1) (c) and (f) and other applicable provisions of the Electricity Act, 2003 seeking extension of SCoD of the Project due to occurrence of force majeure events covered under Article 11 of the TSA dated 10.1.2018 executed between the Petitioner and Respondent No. 1 M/s FBTL; and further seeking extension of LTA operational time under the LTAs dated 22.9.2016 executed between Petitioner and Respondent No. 2, PGCIL on account of 'Change in Law' as covered under Clause 5.7 of the Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects issued by Govt. of India on 3.8.2017 and as further amended on 14.6.2018.

Petitioner : Adani Renewable Energy Park Rajasthan Limited (AREPRL)

Respondents : Fatehgarh-Bhadla Transmission Limited (FBTL) and Another

Date of Hearing : 20.3.2019

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

Parties present : Shri Buddy A. Ranganadhan, Advocate, (AREPRL)
Shri Raunak Jain, Advocate, (AREPRL)
Shri Vishvendra Tomar, Advocate, (AREPRL)
Shri Rohan Ahlawat, Advocate, (AREPRL)

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* for seeking extension of SCoD of the Project due to occurrence of force majeure events covered under Article 11 of the TSA dated 10.1.2018 executed between the Petitioner and FBTL and seeking extension of LTA operational time under the LTAs dated 22.9.2016 executed between Petitioner and PGCIL on account of 'Change in Law' covered under Clause 5.7 of the Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects issued by Govt. of India on 3.8.2017 and further amended on 14.6.2018.

2. Learned counsel for the Petitioner submitted that the Petitioner has filed an Interlocutory Application No. 14/2019 for seeking direction to Respondents not to take any coercive steps under the TSA dated 10.1.2018 or LTA dated 22.9.2016 and to restrain the Respondents from encashment of BGs. Learned counsel requested to issue notice on the Petition as well as on IA.

3. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents on the Petition and IA as well.

4. The Commission directed the Petitioner to serve copy of the Petition and IA on the Respondents immediately. The Respondents were directed to file their replies by 16.4.2019 with an advance copy to the Petitioner who may file its rejoinder, if any, by 7.5.2019. The Commission directed that due date of filing the replies and rejoinder should be strictly complied with. No extension shall be granted on that account.

5. The Petition and IA 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)**