

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 77/MP/2018

Subject : Petition under section 79 (1) (b) read with 79(1)(f) of the Electricity Act, 2003 seeking directions for applicability of the provisions of PTC-PPA signed between Petitioner & PTC and Procurer PPA signed between PTC & discoms of UP on 25.7.2013 for the purpose of calculation of Penalties due to less than 80% availability for a contract year.

Date of Hearing : **18.12.2018**

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

Petitioner : TRN Energy Pvt Ltd

Respondents : Paschimanchal Vidyut Vitran Nigam Ltd & ors.

Parties present : Shri Rajiv Srivastava, Advocate, UPPCL
Ms. Garima Srivastava, Advocate, UPPCL
Ms. Gargi Srivastava, Advocate, UPPCL
Ms. Rajshree Chaudhary, Advocate, PTC

Record of Proceedings

During the hearing, the learned counsel for the Respondent, UPPCL submitted that the Petitioner has filed affidavit dated 21.9.2018 seeking permission to withdraw the present Petition, in pursuance to the directions of the Commission vide ROP of hearing dated 6.9.2018.

2. None appeared on behalf of the Petitioner, despite notice.
3. Subsequently, the learned counsel for the Petitioner during the hearing of the Commission on 20.12.2018 mentioned that the Petitioner has decided to pursue the matter before this Commission and would withdraw the Petitions filed before UPERC.
4. Accordingly, the Commission directed the Petitioner to file necessary affidavit, on or before **21.1.2019**. The Commission shall take a view on listing of the Petition, after the affidavit is filed by the Petitioner.

By order of the Commission

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

