

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 161/MP/2022**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Section 11(2), along with Regulation 111-113 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 inter-alia seeking pass through of energy charges (ECR) for the power supplied to the Respondent No. 1/ TANGEDCO under the Power Purchase Agreement dated 19.12.2013, in terms of the directions dated 5.5.2022, 13.5.2022, 20.5.2022 and 27.5.2022 issued by the Ministry of Power, Government of India under Section 11(1) of the Electricity Act, 2003.

Petitioner : Coastal Energen Private Limited (CEPL)

Respondents : Tamil Nadu Generation and Distribution Co. Ltd. (TANGEDCO) and Anr.

**Petition No. 162/MP/2022**

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Section 11(2), along with Regulation 111-113 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 inter-alia seeking pass through of energy charges (ECR) for the power supplied to the Respondent No. 1/ TANGEDCO under the Power Purchase Agreement dated 12.12.2013, in terms of the directions dated 5.5.2022, 13.5.2022, 20.5.2022 and 27.5.2022 issued by the Ministry of Power, Government of India under Section 11(1) of the Electricity Act, 2003.

Petitioner : IL & FS Tamil Nadu Power Co. Ltd. (IL&FS)

Respondents : Tamil Nadu Generation and Distribution Co. Ltd. (TANGEDCO) and Anr.

Date of Hearing : 18.10.2022

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

Parties Present : Shri Sanjay Sen, Sr. Advocate, CEPL & IL&FS  
Shri Hemant Singh, Advocate, CEPL & IL&FS  
Shri Lakshyajit Singh Bagdwal, Advocate, CEPL & IL&FS  
Ms. Lavanya Panwar, Advocate, CEPL & IL&FS  
Ms. Roberta Ruth Elvin, Advocate, CEPL & IL&FS  
Ms. Anusha Nagarajan, Advocate, TANGEDCO  
Shri Rahul Ranjan, Advocate, TANGEDCO

### **Record of Proceedings**

Due to paucity of time, the matters could not be taken up for hearing and accordingly, the matters were adjourned. However, the learned counsel for the Petitioners submitted that the Petitioner, CEPL is already undergoing the Corporate Insolvency Resolution Process and is facing severe financial crunch in running plant due to under-recovery of costs incurred by it. The learned counsel also pointed out that the Respondent, TANGEDCO has served its reply in these matters to the Petitioner only on yesterday, which may be taken on record.

2. After hearing the learned counsel for the Petitioners, the Commission directed the Respondent TANGEDCO to upload its reply on e-filing portal of the Commission immediately and the Petitioners to file their rejoinder, if any, on or before 28.10.2022.

3. The Petitions shall be listed for hearing on 15.11.2022.

**By order of the Commission**

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