

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 218/MP/2022

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 17 of the PPA dated 23.3.2007 between Coastal Andhra Power Limited and Distribution licensees of States of Andhra Pradesh, Telangana, Maharashtra, Karnataka and Tamil Nadu for wrongful termination of the PPA by APSPDCL.

Petitioner : Coastal Andhra Power Limited and anr.

Respondents : Andhra Pradesh Power Coordination Committee and Ors.

Petition No. 105/MP/2023

Subject : Petition for seeking directions to CAPL to pay the balance amount in terms of Section 79 of the Electricity Act, 2003 read with Article 3.3.2 of the PPA dated 23.3.2007 between CAPL and Distribution licensees of States of Andhra Pradesh, Telangana, Maharashtra, Karnataka and Tamil Nadu, along with interest till actual date of payment and for further directions to CAPL to pay interest on delayed payment with respect to Rs. 300 crores from date of termination of PPA till date of realization of Performance Bank Guarantee.

Petitioner : Andhra Pradesh Power Coordination Committee and Ors.

Respondents : Coastal Andhra Power Limited and anr.

Date of Hearing : **22.9.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Shri Venkatesh, Advocate, CAPL
Shri Ashutosh Srivastava, Advocate, CAPL
Shri Shivam Kumar, Advocate, CAPL
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri Sidhant Kumar, Advocate, AP Discoms
Shri Shivankar Rao, Advocate, AP Discoms
Ms. Ishita Deswal, Advocate, AP Discoms
Shri Anup Jain, Advocate, MSEDCL
Shri Vyom Chaturvedi, Advocate, MSEDCL
Shri Anand Ganeshan, Advocate, Karnataka Discoms
Ms. Ritu Apurva, Advocate, Karnataka Discoms
Shri Sarthak Sareen, Advocate, Karnataka Discoms



Record of Proceedings

At the outset, the learned counsel appearing for CAPL submitted that they had not been served with the copy of the petition (Petition No.105/MP/2023) filed by APCC. Accordingly, the learned counsel prayed that it may be granted time to file a reply in this petition after the same is served on CAPL. While pointing out that the pleadings in Petition No. 218/MP/2022 have been completed by the parties, the learned counsel submitted that both the petitions may be clubbed and heard, after completion of the pleadings in Petition No. 105/MP/2023. This submission was not opposed by the learned counsel for APPCC.

2. The Commission, after hearing the learned counsel for the parties, directed the Petitioner APCC (in Petition No. 105/MP/2023) to serve copies of the petition, to the Respondents, if not done earlier, by **9.10.2023**. The Respondents are to file their replies, on or before **2.11.2023**, after serving a copy to the Petitioner, who may file its rejoinder, if any, by **14.11.2023**.

3. These Petitions will be listed for hearing on **24.11.2023**.

By order of the Commission

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

