

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.227/MP/2022 along with IA No. 55/2022

Subject : Petition under Section 79 of the Electricity Act, 2003 seeking to set aside Transmission Charges bills raised by CTUIL and declaration that the Petitioners stands discharged from performance under, Transmission Service Agreement dated 29.1.2018, LTA Agreement dated 29.1.2018 (Tranche 1), Agreement for Long Term Access dated 6.9.2018 (Tranche 2) and Bipartite Connection Agreement dated 11.1.2019 executed between ReNew Power Pvt. Ltd. and Central Transmission Utility of India Ltd. (earlier Power Grid Corporation of India Ltd.) on account of Force Majeure and impossibility of performance under the Power Purchase Agreement dated 23.5.2022 executed with Solar Energy Corporation of India Ltd and consequential relief thereto.

Petitioner : ReNew Wind Energy (AP 2) Private Limited (RWEPL) and Anr.

Respondents : Central Transmission Utility of India Limited (CTUIL) and 2 Ors.

Petition No.56/MP/2022

Subject : Petition under Section 63 and Section 79 of the Electricity Act, 2003 read with Competitive Bidding Guidelines and Articles 11 and 13 of the Power Purchase Agreement dated 23.5.2018 executed between ReNew Wind Energy (AP2) Private Limited and Solar Energy Corporation of India Limited.

Petitioner : ReNew Wind Energy (AP 2) Private Limited (RWEPL)

Respondents : Solar Energy Corporation of India Limited (SECI) and 2 Ors.

Date of Hearing : **9.11.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Parties Present : Shri Vishrov Mukerjee, Advocate, RWEPL
Shri Girik Bhalla, Advocate, RWEPL
Ms. Priyanka Vyas, Advocate, REWPL
Ms. Suparna Srivastava, Advocate, CTUIL
Ms. Divya Sharma, Advocate, CTUIL

Record of Proceedings

During the course of the hearing, learned counsel for the Petitioner commenced his detailed submissions in the matters. However, due to a paucity of time, the arguments of the learned counsel for the Petitioner could not be concluded.



2. Learned counsel for the Respondent, SECI, in Petition No. 56/MP/2022, pointed out that in terms of the Record of Proceedings for the hearing dated 21.3.2022, the Respondent, SECI has been restrained from encashing the Bank Guarantee (BG) furnished by the Petitioner under the Power Purchase Agreement. However, keeping in view the catena of the judgment of the Appellate Tribunal of Electricity on the encashment of BG, SECI may no longer be restrained from encashing such BG, and the Commission may decide upon the said aspect. In response, learned counsel for the Petitioner submitted that matters are already being taken up for final hearing and if the Respondent, SECI, seeks to vacate the interim direction(s), it may move an IA to this effect.

3. Considering the submissions made by the learned counsel for the parties and keeping in view the paucity of time, the Commission adjourned these matters. The interim protection(s) granted in these matters vide Record of Proceedings for the hearing dated 21.3.2022 and 24.1.2023 will continue till the next date of hearing.

4. The Commission directed the Petitioner in Petition No. 227/MP/2022 to file the following information on an affidavit within a week:

- (a) Current status of its projects as well as the Stage-II connectivity granted to the petitioner for a quantum of 400 MW at the Bachau sub-station; and
- (b) Details of the relinquished quantum of LTA, if any, which is covered under the present Petition

4. The Petitions will be listed for final hearing on **13.12.2023 at 2.30 P.M.**

By order of the Commission

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