

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.202/MP/2023

Subject : Petition under Section 79(1)(b) &(f) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Article 12 of Power Purchase Agreement dated 8.12.2021 seeking Working Group Report 2022 as Change in Law Event.

Petitioner : T. P. Saurya Limited (TPSL)

Respondents : Kerala State Electricity Board Limited (KSEBL) and Ors.

Date of Hearing : **19.2.2024**

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

Parties Present : Shri Venkatesh, Advocate, TPSL
Shri Abhishek Nangia, Advocate, TPSL
Ms. Priya Dhankar, Advocate, TPSL
Shri Mohit Gupta, Advocate, TPSL
Shri Shubham Arya, Advocate, NLDC
Ms. Pallavi Saigal, Advocate, NLDC
Shri Gajendra Singh, NLDC
Shri Aditya Das, NLDC
Shri Alok Mishra, NLDC
Shri Rahul Shukla, NLDC
Shri Swapnil Verma, CTUIL
Shri Siddharth Sharma, CTUIL
Shri Lashit Sharma, CTUIL
Shri Prabhas Bajaj, Advocate, KSEBL
Shri Priyanshu Tyagi, Advocate, KSEBL

Record of Proceedings

Learned counsel for the Petitioner submitted the present Petition has been filed *inter alia* seeking an in-principle declaration of “Report of Working Group in respect of the Data Submission Procedure and Verification of Compliances to the CEA Regulations on Technical Standards for Connectivity to the Grid by RE Generators” (the WGR, 2022) issued by the Central Electricity Authority as Change in Law event. Learned counsel further referred to the pleadings and made detailed submissions in the matter. However, due to a paucity of time, submissions of the learned counsel for the Petitioner could not be concluded.

2. In response to the specific query of the Commission with regard to the completion of the pleadings in the matter, the learned counsel for the Petitioner submitted that the Respondents, KSEBL and NLDC, have already filed their respective replies in the matter and the Petitioner have also filed its rejoinder(s) thereof. However, CTUIL has not filed any reply in the matter. Learned counsel pointed out

that vide Record of Proceedings for the hearing dated 20.9.2023, the Commission had also requested certain clarifications from the CEA. However, no clarifications have been received from the CEA.

3. Learned counsel for the Respondent, CTUIL, clarified that since the present case is purely a contractual matter (Change in Law declaration and compensation under the Power Purchase Agreement), CTUIL, not being a party thereto, has not filed a reply in the matter. However, if the Commission so directs, CTUIL will file its reply covering the factual matrix and the correspondence exchanged between the parties in connection with the WGR, 2022.

4. After hearing the learned counsel for the parties, the Commission directed the Respondent, CTUIL, to also file its reply in the matter as above within two weeks with a copy to the other side. As requested by the learned counsel for Respondent, KSEBL, the Commission permitted Respondent, KSEBL, to file its comments/response to CTUIL's reply, if required within a week thereafter. The Commission also permitted the Petitioner to file its rejoinder(s) to the above within two weeks thereafter.

5. The Commission further noted that certain clarifications, as sought by the Record of Proceedings for the hearing dated 20.9.2023 from the CEA, are yet to be received. Keeping in view that inputs from the CEA would have some bearing on the subject matter, CEA is again requested to furnish its clarifications on the aspects as noted in paragraph 3(d) of the Record of Proceedings for the hearing dated 20.9.2023 preferably within two weeks.

6. The matter remained part-heard and will be listed for hearing on **22.5.2024**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)