

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.345/MP/2022

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 12.2 and Article 16.3.1 of the Power Purchase Agreements dated 28.11.2019 for the development of 390 MW (2x195 MW) ISTS connected Wind-Solar Hybrid power project(s), entered between Adani Hybrid Energy Jaisalmer One Limited (earlier known as Adani Green Energy Eighteen Limited, an SPV of Mahoba Solar (UP) Private Limited) and Solar Energy Corporation of India Ltd. seeking reliefs for the additional expenditure incurred due to occurrence of Change in Law events.

Petitioner : Adani Hybrid Energy Jaisalmer One Limited (AHEJOL).

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

Petition No. 6/MP/2024

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 for declaration of Notification No. 02/2020-Customs (SG) dated 29.07.2020 as a 'Change in Law' event resulting in reduction of the Safeguard Duty on Solar Cells and seeking recovery of the impact amounting to Rs. 47,59,05,435/- alongwith carrying cost on account of the benefit directly accrued upon Respondent No. 1 due to such reduction in Safeguard Duty.

Petitioner : Haryana Power Purchase Centre (HPPC).

Respondents : Adani Hybrid Energy Jaisalmer One Limited & Anr.

Date of Hearing : **6.3.2024**

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

Parties Present : Shri Amit Kapur, Advocate, AHEJOL
Ms. Sakshi Kapoor, Advocate, AHEJOL
Ms. Poonam Sengupta, Advocate, AHEJOL
Shri Ravi Sinha, AHEJOL
Shri Aditya Singh, Advocate, HPPC
Shri M. G. Ramachandran, Sr. Advocate, SECI
Ms. Surbhi Kapoor, Advocate, SECI
Ms. Srishti Khindaria, Advocate, SECI
Ms. Anushree Bardhan, Advocate, SECI
Ms. Shirsa Saraswati, Advocate, SECI

Record of Proceedings

At the outset, the learned senior counsel for the SECI sought additional time to file an affidavit to put forth its submissions in terms of the direction of the Commission vide Record of Proceedings (ROP) for the hearing dated 31.1.2024. Learned counsel for the HPPC submitted that HPPC has already filed its affidavit in terms of the ROP dated 31.1.2024. Learned counsel for the HPPC further submitted that HPPC has also filed a Petition No. 7/MP/2024, which is similar to the present Petitions and requested to list Petition No. 7/MP/2024 along with present Petitions.

2. Learned counsel for the AHEJOL opposed the request of the learned counsel for the HPPC for tagging Petition No. 7/MP/2024 along with present Petitions. Learned counsel submitted that since pleadings in the present Petitions have already been completed long back, and the matter had also been argued before the Commission, clubbing of Petition No. 7/MP/2024 would delay the outcome of the present Petitions.

3. Considering the submissions made by the learned senior counsels for the parties, the Commission permitted the SECI to file its affidavit within two weeks with a copy to AHEJ1L, who may file its response thereof, if any, within two weeks thereafter.

4. The present Petitions and Petition No. 7/MP/2024 (on admission) will be listed for the hearing on **18.6.2024**.

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