

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 370/MP/2022**

Subject : Petition under Section 79(1)(a) of the Electricity Act, 2003 seeking deemed availability for the period from 1.6.2021 to 30.8.2021 in respect of Singrauli Super Thermal Power Station (2000 MW) under Regulation 76 & 77 of the CERC (Terms and Conditions of Tariff) Regulations, 2019.

**Petition No. 270/MP/2023**

Subject : Petition under Section 79 (1)(a) of the Electricity Act, 2003 seeking deemed availability for the period the from 1.6.2020 to 30.8.2020 in respect of Singrauli Super Thermal Power Station- 2000 MW under Regulation 76 & 77 of the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2019.

Petitioner : NTPC Limited

Respondents : UPPCL and 10 ors.

Date of Hearing : **15.3.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Pravas Kumar Singh, Member

Parties Present : Shri Venkatesh, Advocate, NTPC  
Shri, Nihal Bhardwaj, Advocate, NTPC  
Shri Shivam Kumar, Advocate, NTPC  
Shri Rahul Kinra, Advocate, BRPL & BYPL  
Shri Aditya Ajay, Advocate, BRPL & BYPL  
Ms. Isnain, Advocate, BRPL & BYPL  
Ms. Megha Bajpai, Advocate, BRPL  
Ms. Shweta Choudhary, BRPL & BYPL  
Ms. Jaya, BRPL & BYPL  
Shri Mansoor Ali Shoket, Advocate, TPDDL  
Shri Nitin Kala, Advocate, TPDDL  
Shri Kunal Singh, Advocate, TPDDL  
Shri Tanmay Jain, Advocate, TPDDL  
Ms. Kanishka Rawat, Advocate, TPDDL

**Record of Proceedings**

During the hearing, the learned counsel for the Petitioner submitted that the present petitions have been filed seeking deemed availability due to a shortfall in target availability caused by the Covid-19 pandemic (1<sup>st</sup> and 2<sup>nd</sup> wave) and the consequent lockdown. He further pointed out that one of the factors (in Petition No. 370/MP/2022) that led to the underachievement of availability was also on account of the prohibition on the supply of oxygen for industrial purposes by the Central Government under the Disaster Management Act, which had affected the repair



works at the site.

2. The learned counsel for the Respondent submitted that the Commission had disallowed the similar prayers of the Petitioner vide order dated 20.9.2023 in Petition No.154/MP2021.

3. The Commission, after hearing the parties, reserved its order in the matter.

**By order of the Commission**

**Sd/-  
(B. Sreekumar)  
Joint Chief (law)**

