

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.58/MP/2023

Subject : Petition under Section 79(1)(b) read with Section 79(1)(t) of the Electricity Act, 2003 and applicable laws and provisions inter alia seeking payment of compensation for breach of provisions of the Power Purchase Agreement dated 21.7.2017 executed by and between Wind Five Renergy Private Limited and PTC India Limited.

Petitioner : Wind Five Renergy Limited (WFRL)

Respondents : PTC India Limited (PTCIL) and 3 Ors.

Petition No.215/MP/2023

Subject : Petition under Section 79(1) (f) of the Electricity Act, 2003 for adjudication of disputes between the Petitioner and the Respondents under the Power Purchase Agreement dated 21.07.2017 and Amendments thereof-entered between the Petitioner and the Respondent No.1 and the back-to-back Power Sale Agreement dated 27.06.2017 entered between the Petitioner and Respondent No.3 and 4 and the alleged termination of PPA by Respondent No.1.

Petitioner : PTC India Limited (PTCIL)

Respondents : Wind Five Renergy Limited and 3 Ors.

Date of Hearing : **19.2.2024**

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

Parties Present : Shri Aman Sheikh, Advocate, WFRL
Ms. Archita Kashyap, Advocate, WFRL
Shri Ravi Kishore, Advocate, PTCIL
Shri Keshav Singh, Advocate, PTCIL
Shri Gajendra Sinh, WRLDC
Shri Alok Mishra, WRLDC
Shri Aditya Das, WRLDC
Ms. Anushree Bardhan, Advocate, SECI
Ms. Surbhi Kapoor, Advocate, SECI
Ms. Shirsa Saraswati, Advocate, SECI
Ms. Rohini Prasad, Advocate, Bihar Discoms
Shri Anup Kashyap, Advocate, Bihar Discoms
Shri Siddharth Sharma, CTUIL
Shri Swapnil Verma, CTUIL



Record of Proceedings

At the outset, the learned counsel for the Petitioner, PTC India Limited (PTCIL) in Petition No.215/MP/2023 sought liberty to file rejoinder(s) in the matter. Learned counsel for PTCIL and SECI further briefly explained issue(s) involved in the matter and pointed out that the key issue involved in these matters is whether the commissioning/COD of WRFL's Project w.e.f. 7.8.2019 as certified by SECI is valid or not.

2. The Commission directed the Petitioner, PTCIL to implead WRLDC as party to the Petition in Petition No.215MP/2023, which may file its response on the aspect(s) as to reasons which led to the commencement of regular supply from WRFL's Project only w.e.f. 26.3.2020 as against the COD of 7.8.2019 and the correspondence/directions issued by WRLDC in connection thereof, if any, within two weeks with a copy to the Petitioner, PTCIL. The Petitioner, PTCIL may file its rejoinder(s) in Petition No. 215/MP/2023 within three weeks thereafter. In the meantime, interim direction issued in the said matter by Record of Proceedings for the hearing dated 22.9.2023 will continue till the next date of hearing.

3. The Petitions will be listed for hearing on **26.4.2024**.

By order of the Commission

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