

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.167/MP/2021

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 *inter alia* seeking compensation on account of occurrence of 'Change in Law events' relating to Power Purchase Agreements dated 18.12.2013 and 19.12.2013 entered into between the Petitioner and the Respondents.

Date of Hearing : **28.6.2023**

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

Petitioner : Adhunik Power and Natural Resources Limited (APNRL)

Respondents : Tamil Nadu Generation and Distribution Corp. Ltd.
(TANGEDCO) and Anr.

Parties Present : Shri Vineet Tayal, Advocate, APNRL
Ms. Nishtha Wadhwa, Advocate, APNRL
Shri Amit Griwan, APNRL
Shri Ravi Kishore, Advocate, PTC
Shri Dhruv Tripathi, PTC
Ms. Anusha Nagarajan, Advocate, TANGEDCO
Shri Rahul Ranjan, Advocate, TANGEDCO

Record of Proceedings

Learned counsel for the Petitioner submitted that the information sought for by the Commission vide Record of Proceedings for the hearing dated 14.3.2023 has been filed by the Petitioner vide its affidavit dated 17.6.2023.

2. Learned counsel for the Respondent, TANGEDCO sought liberty to file a short response on the Petitioner's additional affidavit dated 17.6.2023 and also the written submissions in the matter.

3. The Commission observed that in Petition filed on 21.7.2021, the Petitioner has claimed Rs. 8.66 crore, Rs. 1.62 crore, Rs. 23.03 crore and Rs. 0.38 crore towards Coal Terminal Surcharges, Levy of Forest Transit Fee, Fly Ash Transportation and Covid-19 Pandemic Cess, respectively. However, subsequent to details sought through ROP for the hearing dated 22.12.2022, the Petitioner vide affidavit dated 17.6.2023 has revised the claims as Rs. Rs. 8.36 crore, Rs. 1.07 crore, Rs. 13.8 crore and Rs. 0.22 crore for the same. The Commission directed the Petitioner to submit on affidavit within two weeks the reason for each of such revision along with supporting documents and each claim exclusively associated with Respondents.

4. Based on the request of the parties, the Commission permitted the Respondent, TANGEDCO to file its response to the Petitioner's affidavit dated 17.6.2023, if any, within three weeks. The Commission also directed the parties to file their respective written submissions in the matter, if any, within three weeks.

5. The Petition shall be listed for hearing on 8.9.2023.

By order of the Commission

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