

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Subject: M. P. Power Transmission Package – II Ltd.’s Petition under Section 86, including Section 86(1)(f) of the Electricity Act, 2003 read with the relevant provisions of the Transmission Service Agreement (TSA) dated 05.02.2021 executed between the Petitioner and MP Power Management Company Limited, seeking extension of Scheduled COD on account of occurrence of Force Majeure events, appropriate relief for Change in Law events and Change in Scope of Work, consequential reliefs on account of delay due to the Force Majeure and Change in Law events and payment of Monthly Transmission Charges from the date of deemed commissioning of the respective elements.

Petition No. 78 and IA Nos. 9 & 10 of 2024

Daily Order

(Hearing through Video Conferencing)

(Date of Motion Hearing: 17th December 2024)

(Date of Daily Order: 17th December 2024)

M. P. Power Transmission Package - II Limited

C/o Adani Energy Solutions Limited,
Adani Corporate House, Adani Shantigram,
Near Vaishno Devi, Ahmedabad – 382421

- **Petitioner**

V/s

1) Managing Director

M. P. Power Management Company limited
Shakti Bhawan, Rampur, Jabalpur, MP – 482008

2) Managing Director

M. P. Power Transmission Company limited
Block No. 2, Shakti Bhawan, Jabalpur, MP – 482008

3) Managing Director

M. P. Poorv Kshetra Vidyut Vitaran Company limited
Shakti Bhawan, Rampur, Jabalpur, MP – 482008

4) Managing Director

M. P. Madhya Kshetra Vidyut Vitaran Company limited
Nistha Parisar, Govindpura, Bhopal, MP – 462023

5) Managing Director

M. P. Paschim Kshetra Vidyut Vitaran Company limited
Polo Ground, Indore, MP – 452003

- **Respondents**

Shri Sanjay Sen, Senior Advocate and Shri Dilip Moolchandani, Representative appeared on behalf of the petitioner.

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2. Heard the petitioner. The petitioner has prayed that the matter be adjudicated by the Commission under the provisions of Section 86, including Section 86 (1) (f) of the Electricity Act, 2003 and the TSA. Main contention of the petitioner is that due to force majeure events, commissioning of the project got delayed and therefore, the Commission may consider prayer for extension of SCOD of elements as prayed in the petition.
3. Two IAs have also been filed with the petition:
One IA relates request for urgent hearing in matter and the second IA relates to request that respondent (MPPMCL) may be directed not to take any coercive measure till the pendency of the present petition.
4. In view of the request for urgent hearing, the matter was taken up today wherein, during the motion hearing, Ld. Counsel of the petitioner prayed that the petition be admitted and the respondent be directed not to take any coercive action till the next date of hearing and for which a short date may be considered. Having heard the petitioner, it was decided that the respondent and petitioner be heard together on the issue of maintainability and that the respondent be directed not to take any coercive action till the next date of hearing.
5. The petitioner is directed to serve copy of the petition to all respondents within a week and report compliance of service to the Commission. Respondents are directed to file their responses on maintainability of the subject petition, within two weeks, thereafter. A copy of the aforesaid responses be served to the petitioner simultaneously. The petitioner may file rejoinder within a week, thereafter.
6. The case is fixed for motion hearing on the **28th January 2025**.

(P. K. Chaturvedi)
Member

(Gopal Srivastava)
Member (Law)

(S. P. S. Parihar)
Chairman