

NOTICE

Subject: Petition of Adani Power Maharashtra Limited under Section 86 of the Electricity Act, 2003 read with Article 13 ("Change in Law") of PPA dated 08.09.2008 and Article 10 ("Change in Law") under the PPA dated 31.10.2010, 09.08.2010 and 16.02.2013 executed between MSEDCL and APML for appropriate adjustment in tariff due to "Change in Law" which substantially affects cost and revenue of the project.

- **Case No. 124 of 2018**

Adani Power Maharashtra Limited has submitted a Petition on 11.04.2018 under Section 86 of the Electricity Act, 2003 read with Article 13 ("Change in Law") of PPA dated 08.09.2008 and Article 10 ("Change in Law") under the PPA dated 31.10.2010, 09.08.2010 and 16.02.2013 executed between MSEDCL and APML for appropriate adjustment in tariff due to "Change in Law" which substantially affects cost and revenue of the project.

The main prayers of the Petitioner are as under-

- a) *Declare that introduction of GST and GST Compensation Cess are change in law events under the provisions of the respective PPAs.*
- b) *Declare that levy of the Evacuation Facility Charge by Coal India Limited is an event of Change in Law under the provisions of the respective PPAs.*
- c) *Direct the Respondents to make provisional payments in respect of the change in law events mentioned herein above during the pendency of the Petition.*
- d) *Approve compensation and direct the Respondents to make payments in respect of the change in law events mentioned herein above from the date of applicability of the respective Change in Law events claimed in the petition.*
- e) *Approve and direct the Respondent to pay Carrying Cost at LPS rate applicable in the PPAs.*
- f) *Pass such further order(s) as this Hon'ble Commission may deem just and proper in the fact and circumstances of the case and in the interest of justice.*

2. I am directed to communicate that the hearing in the above matter will be held in the presence of the authorized consumer representatives on **Tuesday, 10 July, 2018 at 10.00 hrs** in the office of the Commission at 13th floor, Centre No.1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

3. The Petitioner is directed to immediately serve a copy of its above mentioned Petition (both in soft and hard Copy) to the Respondent and the authorised consumer representatives before the scheduled date of hearing.

4. The Respondent is directed to submit the say immediately on affidavit in 1+6 copies to the Commission with documents, if any, on the above mentioned Petition, with a copy to the Petitioner and authorized Consumer Representatives, the CRs may submit there say before hearing.

5. The Parties are directed to file their Petition and submissions in MS -Word file and PDF version as far as possible and to file 1+6 copies of all relevant documents/citations produced during the proceedings.

Sd/-
(Anilkumar Ukey)
Dy. Director (Legal)

Adani Power Maharashtra Limited
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Petitioner

Chief Engineer (Commercial),
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Plot No G-9, 5th Floor, Prakashgad,
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Respondent

Cc: Institutional Consumer Representatives:-

Prayas (Energy Group)
Unit III A & B, Devgiri,
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The General Secretary,
Thane Belapur Industries Association,
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Cc: Individual Consumer Representatives:-

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