
**BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION,
BENGALURU**

Dated : 8th August, 2017

Present:

Shri M.K. Shankaralinge Gowda	..	Chairman
Shri H.D. Arun Kumar	..	Member
Shri D.B. Manival Raju	..	Member

OP No.84/ 2017

BETWEEN:

Laxjeet Renewable Energy Private Limited,
Fardikot Road, Guruharsahai,
Ferozpur,
Punjab – 152 022

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PETITIONER

[Petitioner is represented by Dua Associates, Advocates]

AND:

1) Chamundershwari Electricity Supply Corporation Limited,
No.29, Kaveri Grammeena Bank Road,
Vijayanagar, 2nd Stage,
Mysuru – 570 017.

2) Karnataka Renewable Energy Development Limited,
No.39, "SHANTHIGRUHA"
Bharath Scouts & Guides Building,
Opp.: The Chief Post Master General Office,
Palace Road,
Bengaluru – 560 001.

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RESPONDENTS

*[Respondent-1 is represented by Just Law, Advocates
Respondent-2 is represented by Shri G.S. Kannur. Advocate]*

ORDERS

- 1) In the above Petition, the point that would arise for our consideration is:

Whether the latter part of the Official Memorandum dated 27.5.2016 issued by the 2nd Respondent-Karnataka Renewable Energy Development Limited (KREDL), is valid or not?

- 2) Similar Petitions have been considered by this Commission and reliefs have been granted, holding that, the latter part of the said Official Memorandum restricting the period for achieving the Scheduled Date of Commissioning is invalid and directing the parties to amend the definition of the 'Effective Date' in the PPA concerned as 'the date of approval of the PPA by this Commission'.
- 3) We have gone through the facts of the present Petition and found that the Petitioner is entitled to get the reliefs sought for in the Petition.
- 4) For the foregoing reasons, we pass the following :

ORDER

- (a) It is declared that, the latter part of the Official Memorandum dated 27.5.2016 issued by the 2nd Respondent (KREDL) to the effect that:

"(ii) For the developers who are signing the PPA availing this time extension, the commercial operation date ('Commercial Operation Date'/'COD') for the Project shall be achieved by the Developer within 12 (twelve) months from 25.05.2016"

is invalid and not binding on the Petitioner in this Petition;

- (b) Consequently, the direction given by this Commission in its communication dated 28.9.2016, insofar as it relates to altering the 'Effective Date' as '25.05.2016' in Articles 3.1 and 21.1 of the PPA, stands withdrawn;
- (c) Consequently, in Articles 8.5 and 21.1, relating to the 'Scheduled Commissioning Date', the figures '25.05.2016' shall be replaced by the words, 'the Effective Date'; and,
- (d) Consequently, the parties shall execute the necessary Supplemental PPA in the above terms.

Sd/-
(M.K. SHANKARALINGE GOWDA)
CHAIRMAN

Sd/-
(H.D. ARUN KUMAR)
MEMBER

Sd/-
(D.B. MANIVAL RAJU)
MEMBER