

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR
Petition No. 1998 of 2021.**

In the matter of:

Petition seeking extension of Scheduled Commercial Operation Date (SCOD) on (i) account of Force Majeure Events and (ii) delays solely attributable to Gujarat Energy Transmission Corporation and consequential reliefs under Section 86(1)(f) of the Electricity Act, 2003 read with Article 10.4 of Power Purchase Agreement executed between Goodwatts WTE Jamnagar Pvt Limited and GUVNL.

Petitioner : Goodwatts WTE Jamnagar Pvt. Limited
Represented by : Ld. Advocates Ms. Gayatri Aryan, Mr. Tabish Samdani, Mr. Tarak Damani alongwith Mr. Ashish Mehta, Mr. Anup Pillai, and Mr. Krutarth Oza

V/s.

Respondent No. 1 : Gujarat Urja Vikas Nigam Limited
Represented by : Ms. Girija Dave
Respondent No. 2 : Jamnagar Municipal Corporation
Represented by : Nobody was present.
Respondent No. 3 : Gujarat Energy Development Agency
Represented by : Nobody was present.
Respondent No. 4 : Gujarat Energy Transmission Corporation Limited
Represented by : Mr. Vasant Patel
Respondent No. 5 : State Load Despatch Centre - Gujarat
Represented by : Mr. A. P. Shah

CORAM:

**Mehul M. Gandhi, Member
S. R. Pandey, Member**

Date: 07/10/2021

DAILY ORDER

1. The matter was listed for hearing on 01.10.2021.
2. Ld. Adv. Ms. Gayatri Aryan appearing on behalf of Petitioner submitted that the Petitioner has received copy of the reply from the Respondent GUVNL and requested that the Commission may grant two weeks' time to the Petitioner to file its rejoinder reply and the matter may be posted for hearing thereafter. Moreover, till next hearing the decision regarding no coercive action by Respondent GUVNL may be continued.
3. Shri Vasant Patel, on behalf of the Respondent GETCO and Mr. A. P. Shah on behalf of the Respondent SLDC submitted that the Petitioner has not provided copy of Petition to them till date and requested that the Commission may direct the Petitioner to provide the copy of Petition to the Respondents GETCO and SLDC to enable filing reply in the matter for which two weeks' time may be granted.
4. We note the submission made by the Respondents GETCO and SLDC regarding non-receipt of Petition and requesting the Commission to direct the Petitioner to make available the copy of the Petition to the Respondents. Accordingly, the Petitioner is directed to serve copy of the Petition to the Respondents GETCO and SLDC. The Respondents GETCO and SLDC are also directed to file their reply, if any, to the Petition within 15 days' time from receipt of same, with copy to the Petitioner. The Petitioner is at liberty to file rejoinder reply, if any, within weeks' time after receipt of reply from the Respondents GETCO and SLDC.
- 4.1. We also note that Ld. Adv. Ms. Gayatri Aryan appearing on behalf of Petitioner requested that till next hearing the decision regarding no coercive action by Respondent GUVNL may be continued which is not objected by Respondent GUVNL. As such, there is no hearing took place as the Petitioner and the Respondents GETCO & SLDC sought an adjournment. Accordingly, in terms of para 6.3 and 6.4 of Daily Order dated 16.09.2021, the Respondent shall neither terminate the PPA nor take any coercive action against the Petitioner till next hearing.
- 4.2. The next date of hearing is on 22.10.2021 at 11:30 A.M.
5. We order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 07/10/2021.