



# ENERGY AND INFRASTRUCTURE

## ABOUT US

SKV Law Offices (**SKV**) is a full-service Law Firm based out of New Delhi. SKV has advised and represented numerous clients in complex matters and transactions.

The key reasons for the firm's growth has been its solution-oriented work ethic, along with consistency in deliverables. SKV believes in an entrepreneurial approach and from the first contact with our team, through to the completion of your matter, SKV has been recognised for delivering exceptional solutions, client service, and value.

The sectors across which SKV has advised clients range from, shareholder disputes, service law, environment related issues, tax advisory, competition law, consumer related issues, insolvency issues of companies, restructuring and regulatory transactions, stakeholders including regulators in energy regulatory space and high net worth individuals.

Our client roster includes many corporations, infrastructure and power companies, associations, and institutions. We endeavour to understand client requirements and objectives. Our deep sectorial expertise, and surrounding commercial climate helps SKV achieve your objectives.

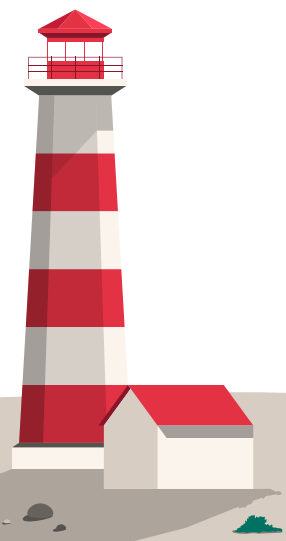
# ENERGY AND INFRASTRUCTURE

SKV is one of the foremost names in Infrastructure Regulatory Practice. SKV has extensively represented and advised various stakeholders on key energy and regulatory disputes. SKV works closely with developers, governments, banks, contractors, consultants and other market participants, to advise on a range of areas in the infrastructure and energy sector.

SKV is advising and representing significant generating companies such as NTPC, Reliance Power, Adani Power Limited, Tata Power Company Limited, Jaiprakash Power Ventures Limited, GMR Energy, Greenko Group, Punj Lloyd and Jindal Power Limited in various Tariff and disputes before all forums i.e. SERC's, CERC, APTEL, High Court and the Supreme Court of India.

## MULTI - JURISDICTIONAL EXPERTISE

We represent clients before various regulators both at central and state level as well as appellate tribunals constituted under various statutes. We have represented clients in almost all the high courts as well as the Supreme Court of India. We have a strong network of local counsels who assist us in attending to the disputes in a wholesome and efficient manner. Our clients benefit from our ability to attend to matters in any jurisdiction, and seamlessly adopt local practices and procedures in handling any matter. SKV independently argues vast matters on a daily basis.



# OUR EXPERIENCE

## ENERGY AND INFRASTRUCTURE

**Adani Power Limited:** Represented Adani Power Limited and subsidiaries in various disputes against Distribution Companies on events comprising of “Change in Law” before RERC and APTEL. Change in law Appeal pertains to various Railway related imposition.

SKV on an ongoing basis advises APL on various ongoing regulatory issues.

**Adani Transmission Limited (ATL) :** Represented ATL in various Transmission License Application and Tariff adoption proceedings before CERC.

**Association of Power Producers:** Representing APP in a series of environment related disputes concerning private IPPs before NGT and the Hon'ble Supreme Court of India.

**Azure Power :** Advising and representing Azure Power in its dispute against State ESCOMs on payment of tariff and delay in Commercial Operation due to Force Majeure Conditions.

**Damodar Valley Corporation:** Representing DVC in Appeals before APTEL against Order of CERC permitting PGCIL to Regulate power evacuation of DVC. Also advising DVC on Change in law matters in relation to notifications concerning Fly Ash Transportation and FGD Installation. SKV is also representing DVC in various contractual disputes with PGCIL and other beneficiaries.

**Greenko Group :** Representing Greenko Group and its various SPV's in a series of litigations against PGCIL and Transmission Licensee pertaining to transmission charges/ relinquishment charges before CERC. SKV is advising Greenko and its

subsidiaries in various Appeals against Orders of KERC, APERC, RERC and CERC before APTEL and advising on issues such as Wheeling and Banking, Open Access, Tariff etc.

**GMR Group:** Representing and advising GMR on Change in Law Petition before CERC as well as contractual disputes with distribution licensee in Tamil Nadu.

**Gujarat India Power Corporation Limited:** Mr. Venkatesh and SKV are representing GIPCL against GAIL (India) Ltd. in Arbitration and proceedings before the Competition Appellate Tribunal, CCI and the Supreme Court of India on arbitrary RNLG pricing.

**Himachal Sorang Power Private Limited:** Representing HSPL in a series of disputes against PGCIL qua payment transmission charges. The disputes are pending before the CERC as well as APTEL.

**Indian Sugar Mills Association :** Represented ISMA before CERC in the Public hearing for finalization of CERC Renewable Regulations, 2017. Also assisted ISMA in drafting its response to the Draft Renewable Regulations on issues which were technical (i.e. GCV, pricing of biomass etc.) and legal.

**Jaiprakash Power Ventures Limited :** Represented JPVL before the SERC in a Section 62 of the Electricity Act, 2003 petition for Tariff Determination. Further, handled complex issues such as cost of Transmission Corridor, Barrage and Land in the said matter. Also represented JPVL before the MPERC in a review challenging the Commission's Order imposing various conditions qua supply of coal on the Generator.

Presently SKV is handling a series of litigations on behalf of JPVL before MPERC, APTEL and Supreme Court. Some of the key issues on which SKV is representing JPVL is in relation to 'erratic scheduling and implementation of MOD' by DISCOM/SLDC in a power surplus market scenario.

SKV recently has successfully defended JPVL and its subsidiaries in a Section 9 Petition before Delhi High Court initiated by L&T for a 300 Crore Bank Guarantee in the Delhi High Court.

Have been continuously advising and representing JPVL in all its thermal generation related regulatory and contractual issues.

**Jindal Power Limited :** Mr. Venkatesh and SKV are representing JPL in a series of disputes against TANGEDCO on issues of 'Change in Law'. SKV is also representing and advising JPL on a dispute with an inter-state Trader where JPL has filed a Petition for cancellation of Trading License due to non-adherence to various 'Terms and Conditions' of license. SKV is also representing JPL in its tariff determination proceedings before Chhattisgarh Stat Electricity Regulatory Commission.

**Lanco Power Limited :** Represented LPL in a dispute against its SBI before the Delhi High Court. The dispute pertains to wrongful invocation of Bank Guarantee.

**Maithon Power Limited :** Represented MPL in petitions pending before CERC on issues concerning GCV of various Section 62 power plants.

Also representing MPL in disputes raised by KSEBL pertaining to 'other charges' levied by MPL in supplying power to KSEBL.

Further, advising and representing MPL in various Petitions and Appeals concerning Tariff, Billing before KSERC, CERC and APTEL.

**Moser Baer Infrastructure Limited :** Represented various SPV's of Moser Baer Group before the State

Commission, Appellate Tribunal of Electricity and the Supreme Court of India in matters concerning extension of 'Control Period' based on which the preferential Tariff was to be paid to Solar SPV's, Also represented on the SPV of MB Group before the High Court of Gujarat on an interpretation of Electricity Act, 2003 qua de-licensing of generation matter. Mr. Venkatesh has also advised MB and its subsidiaries in various domestic and international disputes which have culminated into International and Domestic Arbitrations.

**Moser Baer (Madhya Pradesh) Power Limited :** Represented Moser Baer in Public hearing held by Central Electricity Regulatory Commission concerning the CERC (Sharing of Transmission Charges and Losses) Regulations, 2010. Authored a detailed representation qua various aspects of PoC Regulations especially in relation to dedicated Transmission Lines.

**NTPC Ltd :** Represented NTPC in various Tariff Petitions/ Appeals filed before CERC, CSERC, APTEL and the Supreme Court of India.

Representing NTPC in a series of global litigations on crucial issues such as Fly Ash Transportation, FGD Notification and Sewage Water Treatment. SKV presently handles a substantial number of disputes for NTPC Ltd.

Further representing NTPC in acquisition of Power Plants through IBC in such assignments SKV is advising NTPC as a Resolution Applicant

**Power Exchange India Limited :** Represented PXIL before Bombay High Court and the Supreme Court of India in complex matters involving jurisdiction of CERC over trading of power through Future Contracts as the Multi Commodity Exchange has usurped jurisdiction over the same.

Represented PXIL in various complex matters concerning interpretation of Power Market Regulations, Net worth issues, shareholding patters related matters before CERC and the APTEL.

**PTC India Ltd** : Represented PTC India Limited, Reliance Power Trading Corporation and Tata Power Trading Corporation before the Constitutional Bench of the Supreme Court of India CERC and APTEL.

**Punj Lloyd** : Successfully represented PL before the Delhi High Court on issues pertaining to invocation of BG due to the bid being defective.

**Reliance Power Limited** : Representing Reliance Power Limited and its subsidiary Rosa Power Supply Company Limited in Tariff determination proceedings and Disputes against UPPCL before UPERC.

Advising RPSCL in various MOD related matters before the UPERC against UPSLDC and UPPCL.

Further, represented RPSCL in a Change in Law Petition before UPERC pertaining to the FGD and Fly Ash Notification issued by MoEFCC.

Represented RPSCL in its Petition for Capital Cost Approval and Tariff Determination for the extant Control Period.

Representing Reliance Power in a Tariff Appeal pertaining to its Rosa Power Plant before APTEL.

Further, SKV provides on-going assistance to Reliance Power Limited on various legal queries.

SKV is also advising RPL in a series of disputes against UPPCL and MPPMCL before High Courts of Uttar Pradesh and Madhya Pradesh.

SKV also advises Sasan Power Limited (subsidiary of RPL) on various issues concerning its day to day operation.

Further, advising VIPL a subsidiary of RPL seeking Change in Law compensation on account of change in NCDP, 2007.

**ReNew Power** : Represented Renew Power in a series of disputes against DISCOM's on issues of Open Access and billing and payment.

Also, represented Renew Power in a public hearing conducted by KERC on finalizing of Regulations pertaining to Scheduling and Forecasting of renewable energy.

Successfully represented Renew Power on a dispute with GUNVL for its REC Project.

Presently representing ReNew power in a series of change in law matters before SERCs/ CERC.

**Sterlite Group** : Represented Sterlite Group and subsidiary companies before the CERC seeking enhancement of bid tariff due to change in scope. Also, advised on matters concerning 'Financial Closure' and the compliance of Sterlite group with the PPA with Punjab State.

Represented Sterlite Group in a Petition seeking inclusion of its assets into the ISTS network.

**Tata Power** : Representing Tata Power Trading Company Limited before various forums including the CERC and APTEL in a dispute against Jhajjar Power Limited.

SKV often provides legal opinion to Tata Power on various issues concerning status of Group Captive etc.

Mr. Venkatesh on an on-going basis represents Tata Power and its subsidiaries in a series of litigations before SERC/CERC and APTEL.

SKV is also representing TPCL and its subsidiary CGPL in its Petition before CERC for approval of recommendations issued by the High-Power Committee appointed by Government of Gujarat.

SKV is also representing and advising the Renewable projects of Tata power group in various Petitions in relation to DSM Charges, Auxiliary Consumption, Outstanding Dues, Change in Law etc.

## EMPANELMENT OF SKV IN STATE COMMISSIONS AND INDICATIVE EXPERIENCE

### **Maharashtra Electricity Regulatory Commission :**

Mr. Venkatesh and SKV have been continually advising and representing MERC as their legal advisers from 2013 to 2018. In this assignment, Mr. Venkatesh has advised MERC on various intricate legal and technical issues.

SKV has assisted the Commission in solving some key disputes and has helped the Commission in finalizing some key Regulations and Tariff orders which have had a state-wide impact. Some of the key regulations and orders being:

- MSEDCL AND MSETCL Tariff Orders for FY 15-16 and FY 16-17
- Tata Power Licencing and Network Roll Out Order of 2014

SKV also represent MERC before various Appellate Forums i.e. APTEL and Supreme Court. SKV has assisted MERC in passing over 500 Orders on Tariff Petitions, Disputes etc.

Further, SKV has also given various Legal Opinions to MERC from time to time.

SKV has also advised MERC on the compensation mechanism to be adopted post CCEA Notification being declared as 'Change in Law' by the Supreme Court of India.

### **Madhya Pradesh Electricity Regulatory**

**Commission:** Mr. Venkatesh is presently representing MPERC in a series of Appeals pending before APTEL.

Mr. Venkatesh recently represented MPERC in a Full bench matter before APTEL concerning Biomass based Co-gen plants.

Presently SKV is also representing MPERC in a complex Biomass dispute before the Supreme Court of India.

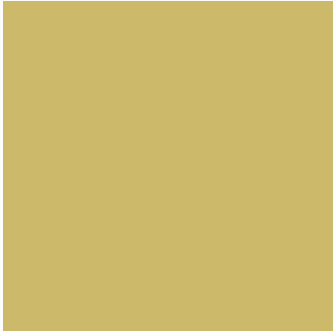
### **Delhi Electricity Regulatory Commission :**

SKV has been empaneled by Delhi Electricity Regulatory Commission.

SKV recently assisted DERC in Drafting and finalizing the DERC MYT Regulations, 2017.

SKV also is representing DERC in a multiple Tariff Appeals as well as Execution Petitions filed before APTEL.

# KEY CONTACTS



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