

Conference Session Plan IPPAI Legal & Regulatory Summit

Day 1: Friday, 10th July 2026

Time	Session
9:30 – 10:00	Inaugural Address <i>Who Bears the Legal Cost of India's Energy Security?</i>
10:00– 11:00	Market Coupling <i>Possible Impact on innovation and Investment</i> - Does CERC have jurisdiction to impose market coupling without legislative amendment to the Electricity Act, 2003? - What is the impact of market coupling on bilateral contract pricing and who bears the liability for algorithmic errors that result in mis-dispatch or financial loss to traders? - Will a single clearing algorithm stifle competition amongst exchanges and widen the liquidity divide?
11:00- 12:00	Cost Reflective Tariff - Can subsidy-based and commercial DISCOMs be legally separated under existing licence frameworks? - Are regulatory assets a legally sound instrument under the Electricity Act, 2003 or a burden passed on to consumers or the state? - Does the entry of parallel licensees in areas served by debt-laden DISCOMs amount to cherry-picking, and is it anti-competitive? - Can cost-reflective tariffs coexist with a distribution framework that continues to rely on cross-subsidization? Case Study - Telangana and Maharashtra separation of subsidy-based DISCOM
12:15 - 13:30	Energy & Pump Storage - Can energy storage be legally classified within the existing framework of the Electricity Act, 2003? - Who ultimately bears the cost of energy storage incentives - the State, the utility, or the electricity consumer? - Should banking be treated as a regulatory incentive or as a commercial service priced on cost-reflective principles? - Do India's land acquisition, forest clearance and water-allocation frameworks provide a legally coherent basis for Pump Storage Projects, particularly when power generation competes with irrigation, drinking water and other public uses for the same land and water resources?

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Time	Session
	Case Study Alloy Steel Producers Association of India & Ors. vs. MERC & Anr., APTEL, APL No. 130 of 2026 and IA No. 551 & 806 of 2026 (Interim Order dt. 27 April 2026)
13:30 - 14:30	LUNCH
14:30 - 15:30	Nuclear Energy - Does the SHANTI Act adequately resolve private sector liability under the CLNDA, 2010 and is the INR 1,500 crore cap constitutionally valid? - Should the Atomic Energy Act, 1962 be amended before private nuclear investment is legally permissible and can states veto plant siting under Entry 7, List I? - Can private investment in nuclear power be commercially viable without a clear legal allocation of insurable and uninsurable risks under the CLNDA and the proposed SHANTI framework? - With private participation imminent under the SHANTI Act, are India's EPC liability frameworks, NPCIL monopoly, and AERB cybersecurity obligations legally ready?
16:00 - 17:00	Powering Data Centres - While the Supreme Court held Indian Railways to be a consumer however Google secured a deemed distribution framework for its Vizag Data Centre, both procuring power through open access for self-use - what is the legal principle that distinguishes a deemed licensee from a large consumer, and does the answer lie in network ownership, geographic containment, or the policy discretion of the state? - Can the SEZ model be extended to Data Centres? Case Study - Uttar Pradesh Data Center Policy 2021 - Regulatory Framework for Power Supply, Distribution Licensing & Data Centre Development - Regulatory & Legal Issues of Granting "Deemed DISCOM" Status to Large Data Centres: Google secures power licence for data centre project in Andhra Pradesh - Indian Railways vs. West Bengal State Electricity Distribution Co. Ltd. & Ors. (with connected matter), C.A. No. 4652 of 2024, Supreme Court, vide judgement dt. 08th May 2026
Day 2: Saturday, 11th July 2026	
9:30 - 10:45	Latest Issues in Renewable Energy - Are the Green Energy Open Access Rules, 2022 binding on State Commissions or do SERCs retain independent authority to prescribe conditions, as held by the Karnataka HC in quashing them as ultra vires the Electricity Act? - Who holds final legal authority over EV charging infrastructure tariffs, the Centre, BEE, or SERCs and how do conflicting RPO and RCO frameworks, currently stayed in Karnataka, Odisha, Chhattisgarh, and Mumbai, resolve this jurisdictional contest?

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	- Can transmission rights be traded as a distinct commercial instrument under the Electricity Act, 2003 - Does large-scale Distributed Renewable Energy (DRE) deployment legally challenge the traditional distribution licensee framework contemplated under the Act? Case Studies - Ghodawat Energy Private Limited vs Union of India, WP No. 11235 of 2024, High Court of Karnataka - Chhattisgarh Sponge Iron Manufacturers Association v. Union of India, WPC No. 5655 of 2025, High Court of Chhattisgarh - JSW Steel Limited vs Union of India, WP(L) No. 11091 of 2026, Bombay High Court
10:45 - 11:45	General Network Access - Do third-amendment connectivity conditions attached to existing long-term access agreements constitute a 'change in law'? - Do restrictions on project transfers and changes in control undermine financing flexibility and foreign investment in the renewable energy sector? - Can connectivity conditions be retrospectively altered through successive regulatory amendments after developers have made investment decisions? - Where state-level connectivity requires prior permissions from CTUIL, does the absence of a clear legal framework for grant, refusal, and timelines create a jurisdictional vacuum and who bears the legal consequences of delays or denials? Case Study Project Nine Renewable Power Pvt. Ltd. vs. CERC & Ors., Appeal No. 50 of 2024 & IA No. 212 of 2024, APTEL (Order dt. 28 May 2024)
12:00 - 13:00	Adjudication of Contracts - After DVC vs MPMMCL (SC, 2024), does an arbitration clause in a PPA oust CERC's jurisdiction under Section 79(1)(f)? - Given the divergent timelines, costs, and commercial risks of arbitration versus regulatory adjudication, which forum truly serves the power sector? - Can parties contractually agree to arbitration where the Electricity Act confers adjudicatory powers on CERC or SERCs? Case Study - DVC vs MPPMCL & Anr., C.A. No. 10480/2024, 23 September 2024, Supreme Court of India - Bharat Aluminium Co. Ltd. vs. TANGEDCO, CERC Petition No. 496/MP/2024, Order dt. 1 November 2025 - GUVNL vs Tata Power Company Limited & Ors., Appeal No. 348, 371 & 400 of 2025 IA & No. 1797, 1850 & 1946 of 2025, APTEL (25 February 2026)
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14:00 - 15:30	<u>Change in Law & Deviation Settlement</u> • When states unilaterally revoke banking facilities, alter DSM frameworks, or impose new charges during the subsisting term of RE contracts, does this constitute a change in law entitling developers to compensation or a legitimate exercise of regulatory discretion? • Do selective change-in-law relief orders by CERC inconsistently applied between older and newer projects, and between foreign and domestic promoters violate the principle of regulatory parity and create a structurally unlevel playing field for RE investment? • When regulatory uncertainty drives foreign investors to exit India, what remedies are available under applicable BITs and contracts and can a state government's unilateral policy reversal be challenged as a breach of legitimate expectation under Article 14? • Do recent DSM amendments adequately account for weather variability, curtailment events and other factors beyond a renewable generator's control? • Who bears liability for cascading grid imbalance caused by a QCA's systemic scheduling errors - the QCA, the generator, or the grid operator?
15:45 - 16:45	<u>Data Privacy, AI and Cybersecurity</u> • Do existing CEA and CERC cybersecurity regulations adequately address emerging cyber threats to critical power infrastructure? • Who bears liability when a cyberattack compromises critical power infrastructure or consumer electricity data? • Can electricity utilities and regulators comply with the Digital Personal Data Protection Act, 2023 while enabling data-sharing initiatives such as the Bharat Electricity Stack? • What data protection obligations do utilities and regulators owe in relation to consumer electricity databases?
16:45	<u>VALEDICTORY CEREMONY</u>

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