



Saransh Shaw

Counsel

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Practice:

Dispute Resolution

Education:

B.A. LL.B., National Law
University, Delhi (2015)

Professional Affiliations:

Bar Council of Delhi
Energy Bar Association

Saransh Shaw is a Counsel in the Dispute Resolution practice group in the Delhi NCR office, with about 11 (eleven) years of experience. Saransh specializes in the field of regulatory litigation, with a focus on energy regulatory matters.

Saransh advises and represents a diverse set of clients which include generators (renewable energy and thermal), distribution and transmission licensees, industrial consumers and power traders on complex commercial and regulatory matters. Saransh has advised such clients in issues pertaining to tariff determination/adoption, change in law and force majeure claims, open access and captive-user issues, and disputes under renewable and conventional PPAs.

Saransh has also successfully represented clients in several matters, which have significant sector-wide implications such as disputes concerning the minimum area of supply obligation of distribution licensees, curtailment of renewable energy generation as well as high-stakes tariff appeals.

Representative Matters

In his areas of expertise, Saransh has advised the following clients:

- Successfully represented a solar power generating company before the Gujarat Electricity Regulatory Commission for procurement of power under Section 62 of the Electricity Act, 2003 on the basis of prices determined during bidding conducted by Solar Energy Corporation of India;
- Successfully represented a leading transnational pharmaceutical company regarding its claim for exemption from payment of cross-subsidy surcharge as a captive user;

- A wind power generating company in an Appeal challenging the deductions made in monthly invoices by the distribution licensee for power generated beyond the normative Capacity Utilisation Factor before Appellate Tribunal for Electricity (APTEL);
- A solar power generating company in a matter pertaining to termination of Power Purchase Agreement and other ancillary agreements entered into pursuant to SECI III bidding on account of Force Majeure events faced by the company;
- A distribution licensee before Supreme Court regarding challenge to its distribution license;
- A transmission licensee in a challenge by the State Distribution Company to its inter-state transmission license before APTEL;
- A transmission licensee in a tariff petition filed before CERC;
- A greenfield smart industrial city in an Appeal pertaining to exemption from grant of distribution license on the basis of State Government's recommendation under Section 13 of the Electricity Act, 2003;
- Successfully represented the Client before the APTEL and the Supreme Court of India seeking its treatment as an industrial consumer and recovery of excess tariff paid by it for procurement of start-up power;
- Successfully represented a thermal power generator which was supplying power in more than one State, in relation to procurement of power under Section 62 of the Electricity Act, 2003 before Uttar Pradesh Electricity Regulatory Commission and APTEL;
- A thermal power generator in a claim for recovery of losses in capacity charge pursuant to bifurcation of State of Andhra Pradesh before the Central Electricity Regulatory Commission (CERC);
- A thermal power generator before the High Court of Delhi for recovery of escalable energy charges levied in terms of revised escalation indices issued by CERC.
- A thermal power generator in relation to claims of coal cost pass-through and other Change in Law events before CERC, Uttar Pradesh Electricity Regulatory Commission and APTEL; and
- A trading licensee in a dispute regarding breach of terms and conditions of a Power Purchase Agreement before Haryana Electricity Regulatory Commission and APTEL.

Publications and Presentations:

Saransh has authored the following contributions:

- Co-authored "Special Purpose Vehicles cannot be equated with 'Association of Persons' for verifying Captive Status" published by Mondaq (July, 2021); and
- Co-authored "Ministry of New and Renewable Energy issues competitive bidding guidelines for procurement from grid connected wind solar hybrid projects" published by Lexology (November, 2020).