**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**

**Order No T.O. 2 - 1 of 2010 dated 20-10-2010**

**Present : Thiru S. Kabilan, Chairman**
**Thiru K. Venugopal, Member**
**Thiru S.Nagalsamy, Member**

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**In the matter of : Inclusion of assignment clause in the model Solar Energy Purchase Agreement for solar Thermal Projects covered by Jawaharlal Nehru National Solar Mission – Orders issued.**

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The Commission has issued the model Solar Energy Purchase Agreement based on the Commission's order No. 2 of 2010 dated 08-07-2010.

2. The Commission in its order dated 07-09-2010 in M.P. No. 33 of 2010, ordered to amend the Solar Energy Purchase Agreement (EPA) by including the assignment clause. As specified in the order, the following shall be added as clause - 12 in the Model Solar Energy Purchase Agreement specified by the Commission for the Commission's tariff order No. 2 of 2010 dated 08-07-2010:

***"12. Assignments: -***

*This Agreement shall be binding upon, and inure to the benefit of the Parties and their respective successors and permitted assigns. This Agreement shall not be assigned by any Party other than by mutual consent between the Parties to be evidenced in writing.*

*Provided that, such consent shall not be withheld if the Distribution Licensee seeks to transfer to any transferee all of its rights and obligations under this Agreement.*

*Provided further that any successor(s) or permitted assign(s) identified after mutual agreement between the Parties may be required to execute a new agreement on the same terms and conditions as are included in this Agreement;"*

3. The parties to the agreement are directed to incorporate the above assignment clause in their agreement.

**(By order of the Commission)**

**Secretary,**
**Tamil Nadu Electricity Regulatory Commission**

**To**

**The Chairman,**
Tamil Nadu Electricity Board,
144, Anna Salai, Chennai - 2.