

**Record of proceedings dated 28.01.2021**

O. P. No. 20 of 2016  
&  
I. A. No. 13 of 2016

M/s. Sugna Metals Limited Vs. DE (Operation) TSSPDCL & its officers

Petition filed questioning the action of DISCOM in not implementing the order of the CGRF and to punish the licensee U's 142 of the Act, 2003.

I. A. filed seeking interim orders not to disconnect the power supply pending disposal of the original petition.

Sri. N. Vinesh Raj, Advocate for the petitioner and Sri Mohammad Bande Ali, Law Attachee of TSSPDCL for the respondents have appeared through video conference. The counsel for the petitioner stated that the matter involves the implementation of the order of the Ombudsman. However, he requested for a clear date to argue the matter. The representative of the respondents has no objection. Accordingly, the matter is adjourned.

Call on 18.03.2021 at 11.30 A.M.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

O. P. No. 21 of 2016

Sri. Akthar Ahmed Vs. CGRF-2, ADE (O) Shamshabad, TSSPDCL, DE (O) & SE (O) TSSPDCL

Petition filed questioning the action of DISCOM in not implementing the order of the CGRF and to punish the licensee U's 142 of the Act, 2003.

Sri. N. Vinesh Raj, Advocate for the petitioner and Sri Mohammad Bande Ali, Law Attachee of TSSPDCL for the respondents have appeared through video conference. The counsel for the petitioner stated that the matter involves the implementation of the order of the Ombudsman. However, he requested for a clear date to argue the matter. The representative of the respondents has no objection. Accordingly, the matter is adjourned.

Call on 18.03.2021 at 11.30 A.M.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

O. P. No. 27 of 2016

M/s. Sugna Metals Limited Vs. DE (O) Vikarabad TSSPDCL & its officers

Petition filed questioning the action of DISCOM in not implementing the order of the CGRF and to punish the licensee U's 142 of the Act, 2003.

Sri. N. Vinesh Raj, Advocate for the petitioner and Sri Mohammad Bande Ali, Law Attachee of TSSPDCL for the respondents have appeared through video conference. The counsel for the petitioner stated that the matter involves the implementation of the order of the Ombudsman. However, he requested for a clear date to argue the matter. The representative of the respondents has no objection. Accordingly, the matter is adjourned.

Call on 18.03.2021 at 11.30 A.M.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

O. P. No. 16 of 2017

&

I. A. No. 25 of 2017

M/s. Sundew Properties Limited Vs. TSSPDCL & TSTRANSCO

Petition filed seeking transfer of distribution assets falling within the area of SEZ area.

I. A. filed seeking directions to respondent No. 1 to disconnect the consumers pertaining to SPL's licence area and handover the assets to the petitioner and also to the respondent No. 2 to grant transmission connectivity at 33 KV level on two Nos. of 33 KV SPL feeders.

Sri. Abhishek Manot, Advocate representing J. Sagar Associates for the petitioner and Sri Mohammad Bande Ali, Law Attachee of TSSPDCL for the respondents have appeared through video conference. The counsel for the petitioner stated that the matter involves transfer assets from the existing licensee to the deemed licensee in its area of operation. The matter was filed in the year 2016 pursuant to refusal by the existing licensees both distribution and transmission regarding transfer of assets to the deemed licensee. The matter has been pending since then and the distribution licensee could not operate the licence from that period onwards. The representative of the respondents / licensees took objection to proceed with the matter, stating that the petitioner had approached the Hon'ble

Supreme Court regarding the condition imposed while granting the deemed licensee status. According to him, unless such condition is complied with, there is no case for the petitioner.

The counsel for the petitioner stated that the order of the Commission while granting deemed distribution licensee status was condition subsequent and not condition precedent, as such there is no hindrance for taking up other activities of the licence. The issue before the Hon'ble Supreme Court is confined to whether the petitioner is required to comply with the condition subsequent imposed by the Commission. If the petitioner succeeds, it is not required to infuse additional capital as directed by the Commission or otherwise, it is required to bring in the additional capital. That issue has no bearing on the functioning of the licensee or for undertaking other activities including securing of assets for operationalizing the distribution licence.

The representative of the respondents stated that the Commission may not accede to the request of the petition at this point of time until and unless the appeal before the Hon'ble Supreme Court is decided. The counsel for the petitioner would urge that the parties may complete the pleadings and the Commission may hear the matter for deciding it. If a decision is taken and if it is so necessary, the Commission will be putting the petitioner under subject to the orders of the Hon'ble Supreme Court.

In these circumstances, the Commission has adjourned the matter and directed the parties to complete the pleadings that is filing of counter affidavit while duly serving a copy on the counsel for the petitioner on or before 15.02.2021, thereafter the rejoinder, if any, on or before 22.02.2021 with a copy to the respondents being duly served.

Call on 18.03.2021 at 11.30 A.M.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

O. P. No. 17 of 2017

&

I. A. No. 26 of 2017

M/s. Sundew Properties Limited Vs. – Nil--

Petition filed seeking approval of the bid tariff power procurement as deemed licensee.

I. A. filed seeking condonation of delay in submission of petition for adoption of tariff.

Sri. Abhishek Manot, Advocate representing J. Sagar Associates for the petitioner has appeared through video conference. The counsel for the petitioner stated that the relief sought in this petition does not survive as the PPA is with reference to the particular year only and no action is required now in this petition, as such he may be permitted to withdraw the same. Permission is accorded and dismissed the petition as withdrawn.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

O. P. No. 4 of 2021

M/s. Sundew Properties Limited Vs. – Nil—

Petition filed seeking determination of tariff for the power procured by it / to be charged to your consumers with TSSPDCL tariff as the ceiling tariff.

Sri. Abhishek Manoth, Advocate representing J. Sagar Associates for the petitioner has appeared through video conference. The counsel for the petitioner stated that the matter is connected to O. P. No. 16 of 2017 and therefore, this may also be adjourned to the same date. Accordingly the matter is adjourned.

Call on 18.03.2021 at 11.30 A.M.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

O. P. No. 26 of 2020

M/s. Arhyama Solar Power Pvt. Ltd. vs TSSPDCL, CGM (Revenue), SAO (Operation Circle), Sanganareddy & SAO (Operation Circle), Medchal.

Petition filed seeking punishment against the respondents No.1 to 4 for non-compliance of the order dated 17.07.2018 in O. P. No. 10 of 2017 passed by the Commission.

Sri. Chakrapani, Advocate representing Sri. Challa Gunaranjan, Advocate for the petitioner and Sri. Mohammad Bande Ali, Law Attachee of TSSPDCL for respondents have appeared through video conference. The counsel for the petitioner

sought time seeking to argue the matter. The representative of the licensee stated that the counter affidavit had already been filed. The counsel for the petitioner stated that he is yet to receive a copy of the same. The respondents shall make available a copy of the counter affidavit immediately. The counsel for the petitioner sought time for filing rejoinder also. He is permitted to do so on or before 18.02.2021 by duly serving a copy to the respondents. Accordingly, the matter is adjourned.

Call on 18.02.2021 at 11.30 A.M.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

O. P. No. 30 of 2020

M/s. GMR Energy Trading Limited Vs. TSPCC & TSDISCOMs

Petition filed seeking reimbursement of late payment charges for delayed payments to the petitioner.

Sri. Matrugupta Mishra, Advocate for the petitioner and Sri Mohammad Bande Ali, Law Attachee of TSSPDCL for the respondents appeared through video conference. The counsel for the petitioner stated that the respondents have agreed to the proposal of out of court settlement and also agreed to reduce the amount from the petitioner side to the tune of Rs.20,00,000/-. The representative of the respondents confirmed the receipt of the letter of the petitioner, but needed time for reporting on the status of agreeing to the proposal. Accordingly the matter is adjourned.

Call on 18.02.2021 at 11:30 A.M.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman