

Record of proceedings dated 15.09.2021

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 20 of 2016 & I. A. No. 13 of 2016	M/s. Sugna Metals Limited	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 petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The counsel for petitioner stated that the file has been misplaced in the office and as such short time may be given for arguing the matter. The representative of the respondents stated that the matter was adjourned earlier. Having considered the request of the counsel for petitioner, the matter is adjourned on the condition that the matter will be reserved for order in the absence of any submissions on the next date of hearing.

Call on 28.10.2021 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 27 of 2016	M/s. Sugna Metals Limited	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 petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The counsel for petitioner stated that the file has been misplaced in the office and as such short time may be given for arguing the matter. The representative of the respondents stated that the matter was adjourned earlier. Having considered the request of the counsel for petitioner, the matter is adjourned on the condition that the matter will be reserved for order in the absence of any submissions on the next date of hearing.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 70 of 2018	M/s. Sugna Metals Limited	TSSPDCL & its officers

Petition filed seeking directions to readjust the open access demand and to punish the licensee for not refunding the excess amount collected towards charges.

Sri N. Vinesh Raj, advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The counsel for petitioner stated that the file has been misplaced in the office and as such short time may be given for arguing the matter. The representative of the respondents stated that the matter was adjourned earlier. Having considered the request of the counsel for petitioner, the matter is adjourned on the condition that the matter will be reserved for order in the absence of any submissions on the next date of hearing.

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Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 31 of 2021	M/s. Sri Sai Ram Ice Factory	TSSPDCL & its officers

Petition filed seeking refund of the amounts paid towards electricity charges and punishing the respondents for non-compliance of the order of the Ombudsman U/s 146 of the Act, 2003.

There is no representation on behalf of the petitioner. The matter is adjourned for want of appearance.

Call on 28.10.2021 at 11:30 A.M.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 36 of 2021	M/s. L. B. Kunjir	TSSPDCL

Petition filed seeking reimbursement of the principle amount alongwith DPS / LPS for the energy supplied to the DISCOM.

Sri V. N. Bohra, advocate for the petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent have appeared through video conference. The counsel for the petitioner stated that the matter involves payment of amounts towards generation and it is coming up for the first time. The representative of the respondent stated that the matter may adjourned as the respondent has to file its counter affidavit. In view of the request of the respondent, the matter is adjourned.

Call on 28.10.2021 at 11:30 A.M.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 23 of 2021 & I. A. (SR) No. 24 of 2021	M/s. Heavy Water Plant (Manuguru) & another	TSNPDCL & its officer

Petition filed seeking questioning the claim made by TSNPDCL towards grid support charges due to it as the same exempted under section 184 of the Act, 2003.

I. A. filed seeking interim directions for suspending the demand notice of TSNPDCL and all consequential actions.

Sri D. Narendar Naik, advocate for the petitioner has appeared through video conference. The counsel for the petitioner stated about the issue involved in the petition. He relied on section 184 of the Electricity Act, 2003 to state that the petitioners are exempted from the provisions of the Act, 2003. As such, the claim made by the DISCOM towards arrears of grid support charges cannot be agreed to. The counsel for petitioner relied on several other enactments wherein specific Central Government Departments and institutions are exempted from respective enactments of the government. He relied on EPF Act and similar Acts. He also relied on the provisions of Value Added Tax. Reference has also been made to a judgment of the Hon'ble Supreme Court rendered in the year 2011. It is stated that though it is a fact that any consumer is liable to pay grid support charges but the petitioners herein are not liable for the same. Having heard the submissions of the counsel for petitioners, the matter is reserved for orders in respect of the maintainability of the petition.

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Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
R. P. (SR) No. 19 of 2021 In O. P. No. 24 of 2020	TSDISCOMs	-None-

Review petition filed seeking review of the order dated 02.01.2021 in O. P. No. 24 of 2021 passed by the Commission.

Sri. Mohammad Bande Ali, Law Attachee for review petitioners has appeared through video conference. The representative of the review petitioners stated that the review petitioners are seeking review of the order passed by the Commission with regard to the tariff made applicable under the PM KUSUM scheme, more particular the component – A thereof. It is his case that the solar tariff has seen a downward trend over the years and the Commission had not considered the prevailing market conditions in respect of solar tariff. It is stated that several other Commissions have fixed the tariff, which is reflecting the tariff conditions. He has referred to the tariff determined by the other states under the same scheme.

The representative of the review petitioners stated that the proposals were submitted to the Commission relying on most of the parameters notified by CERC, however, the Commission did not consider all the parameters as have been notified in the CERC regulations. The Commission ought to have considered several factors, which were realistic to the market conditions as provided in the CERC regulations. He made reference to the issues of capital cost, interest on working capital, interest on term loans and on the final tariff by explaining the prevailing market conditions and the financial parameters to be adopted. The representative highlighted the importance of downward trend of the tariff, which is required to be considered in the interest of the end consumer while ensuring reasonable return to the project developers, as the capacity involved in the scheme is ranging between 500 KW to 2 MW only. Therefore, he requested for review of the order passed by the Commission by fixing the tariff at Rs. 2.80 per unit. Having heard the submissions of the representative, the matter is reserved for orders.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 32 of 2015 & I. A. No. 5 of 2015	M/s. Tata Power Trading Company Ltd.	TSDISCOMs, APSPDCL, APEPDCL and APPCC

Petition filed seeking questioning the illegal, unilateral and wrongful deduction of Rs. 9,72,00,000/- and Rs. 96,48,000/- towards illegal compensation claim for supply of short term power.

I. A. filed seeking release of Rs. 9,72,00,000/- and Rs. 96,48,000/- in lieu of bank guarantee for corresponding amounts.

Sri M. Ramakanth, advocate for the petitioner and Sri. D. N. Sarma, OSD (Legal and Commercial) for respondents have appeared through video conference. The counsel for the petitioner stated that he has received case records just few days back from the previous counsel and as such he sought time of four weeks for arguing the matter. The representative of the respondents stated that the matter involves the issue of jurisdiction and has to be referred to the CERC for further adjudication. On this, the counsel for petitioner stated that he needs to submit the reply on the said aspect after going through the papers. Accordingly, the matter is adjourned.

Call on 25.10.2021 at 11:30 A.M.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
R. P. (SR) No. 28 of 2017 In O. P. No. 26 of 2016	TSGENCO	TSDISCOMs & ESCOMs

Review petition filed seeking review of the order dated 05.06.2017 in O. P. No. 26 of 2016 passed by the Commission regarding determination of tariff for GENCO stations.

Sri. T. S. N. Murthy, CE (Coal & Comml.) for review petitioner has appeared through video conference. The representative of the review petitioner stated that the concerned personnel are otherwise engaged in a meeting in the Board of Directors of the company and as such, the matter may be adjourned by a short date. Accordingly, the matter is adjourned.

Call on 27.09.2021 at 11:30 A.M.

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Chairman