

Record of proceedings dated 27.12.2021

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 are present. The counsel for petitioner stated that he has filed a memo before the Hon'ble High Court seeking to withdraw the writ petition filed by the petitioner and it is yet to be taken on record. The Commission pointed out that the same may be placed before it for proceeding further in the matter. The counsel for petitioner has agreed to file a memo before the Commission bringing forth the memo filed before the Hon'ble High Court. Accordingly, the matter is adjourned.

Call on 17.01.2022 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 are present. The counsel for petitioner stated that the matter is connected to O. P. No. 20 of 2016. In view of the adjournment of the said matter, this matter is also adjourned.

Call on 17.01.2022 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. 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 are present. The counsel for petitioner stated that the petitioner had filed the present petition in respect of refund of excess amount collected towards open access charges. The licensee is computing the demand charges contrary to the orders of the Commission and the explanation provided thereof. The counsel for petitioner sought to explain the drawl of energy from the DISCOM and drawl of energy from open access sources. The petitioner's consumption is explained through the tables and bills filed by it with regard to recorded demand and contracted demand. He relied on the provisions of the regulation on open access, interim balancing and settlement code along with the provisions of the Act, 2003. It is his case that the open access drawl is within the contracted demand and as such, cannot be penalized stating that the consumer is exceeding the contracted demand.

While calculating the demand charges, the licensee has to segregate the demand availed from open access and the demand availed from the DISCOM and in case of exceeding the demand of the DISCOM then only, the petitioner is able to pay penal charges. On the contrary, the licensee is seeking to club the demand and treat the petitioner as a consumer exceeding the contracted demand and imposing penalty for excess RMD. The licensee is clubbing the open access drawls by the consumer even before arriving at the RMD from the DISCOM, thereby the petitioner is mulcted with additional open access charges and penalty contrary to the orders of the Commission. He sought to demonstrate the erroneous calculations made by the DISCOM.

The representative of the licensee sought to defend the action stating that the regulation requires the open access drawls should not exceed the CMD contracted with the licensee. In the case of the petitioner, upon considering the data relating to open access drawls for each time block of 15-minutes, it appears that there are intermittent drawls from open access and such drawl is in excess of the CMD with the DISCOM when considered for billing. As seen from the details filed before the Commission, it is stated that the consumer is charged to penalties only in case of the

excess RMD, which has been drawn from the grid, which is not contrary to the orders of the Commission. It is also stated that for the period when there is no drawl from open access, benefit of CMD with DISCOM has been acceded to. However, in the absence of drawl of open access power also, the consumer has exceeded the CMD on certain days, thereby it has attracted penal charges over exceeding the CMD, as RMD is more than the contracted demand.

The representative of the respondent pointed out that the petitioner is not calculating the CMD and open access drawls in terms of the regulation and orders of the Commission. As such, the consumer is stating that it is being burdened with penalty and additional charges, which is not the case of the licensee. The representative of the consumer extensively relied on the details of charts filed by the DISCOM along with its response to the petition.

The Commission felt that there seems to be contradiction in understanding of both the parties in giving effect to the calculation. At this stage, the officer of the licensee, who is present in the hearing, sought to underline that the billing is done in accordance with the orders of the Commission, but the data is considered for whole month after ascertaining the block-wise consumption of both DISCOM drawl and open access drawl.

Considering that the counsel for petition is unable to figure out the case of the consumer, the Commission sought to know the CMD contracted and according to him, what was the actual drawl from the open access. The counsel for petitioner though stated certain figures, but sought time to understand and submit the same before the Commission on the next date of hearing, as it involved lot of technical jargon. In view of the submissions, the matter is adjourned.

Call on 17.01.2022 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. 16 of 2017 & I. A. No. 25 of 2017	M/s. Sundew Properties Limited	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 Samikrith Rao, advocate representing M/s. J. Sagar Associates, counsel for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The advocate representing the counsel for the petitioner stated that the matter is being argued by a senior advocate, who has to come from out station, as such, a suitable date may be given by adjourning the matter. A letter seeking adjournment of the case is also filed. In view of this submission, the matter is adjourned.

Call on 17.01.2022 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. 4 of 2021	M/s. Sundew Properties Limited	— None—

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

Sri Samikrith Rao, advocate representing M/s. J. Sagar Associates, counsel for petitioner is present. The advocate representing the counsel for the petitioner stated that the matter is connected with O. P. No. 16 of 2017 and accordingly, the same may be adjourned. Accordingly, the matter is adjourned.

Call on 17.01.2022 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman