

### Record of proceedings dated 17.10.2022

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 43 of 2022	M/s. Pemmasani Solar Power Private Limited	TSSPDCL alongwith its officer & TPCC

Petition filed seeking payments of interest due along with late payment charges on such amount due in respect of 10 MW project near 132 / 33 KV Makthal substation in Mahabubnagar district.

Sri. P. Somasekhara Naidu, Advocate representing Sri. Srinivasa Rao Pachwa, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for the respondents are present. The counsel for petitioner stated that the issue raised in the petition is with regard to payment of interest as also late payment charges on the amount due in respect of 10 MW solar power project of the petitioner. The petitioner has raised the bills in a timely manner, but the respondents made payments contrary to the conditions in the PPA. He has pointed out the relevant conditions in the PPA. He also stated that the interest is payable on the prime lending rate applicable at the relevant time. Even though, presently the rate is at a reduced level, the respondents are bound to pay the same to the petitioner at the applicable rate only. The petitioner had made request and represented the matter also, but no response is received by the petitioner from the respondents. The representative of the respondents sought time, stating that he is not ready with the matter as he was under the impression that the matter is connected to the batch of cases on payment of energy charges to the solar projects. In view of the request of the respondent, the matter is adjourned.

Call on 02.11.2022 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. 51 of 2022 & I. A. No. 41 of 2022	M/s. Pemmasani Solar Power Pvt. Ltd.	TSSPDCL & its CGM

Petition filed seeking directions for payment of amount deducted towards auxiliary consumption in the monthly bills paid towards power supplied along with interest apart from exemption for not maintaining power factor.

I. A. filed seeking interim order directing the respondents to pay power supply bills of the petitioner without adjusting or deducting any amount towards excess auxiliary

consumption or variation in the power factor pending disposal of the main original petition.

Sri. P. Somasekhara Naidu, Advocate representing Sri. Srinivasa Rao Pachwa, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The advocate representing the counsel for petitioner stated that the rejoinder is filed in the matter today by serving a copy on the respondents. The representative of the respondents sought time to argue the matter. Considering the request of the representative of the respondents, the matter is adjourned.

Call on 02.11.2022 at 11.30 AM.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 45 of 2022	M/s. SLS Power Corporation Ltd.	TSSLDC

Petition filed seeking declaration of the petitioner's project to be recognized under RPPO Regulation and consequently grant accreditation.

Sri. P. V. Nishanth, Advocate representing Sri. Challa Gunaranjan, counsel for petitioner and Sri. Y. Sankalp, Advocate representing Sri. Y. Rama Rao, counsel for respondent are present. The advocate representing the counsel for petitioner stated that the issue in the petition is with regard to accreditation of the petitioner's project as renewable source for REC mechanism. The petitioner's project was commissioned in 2014 and meter readings were started from thereon. The petitioner sought accreditation in the year 2014. However, the request of the petitioner was refused in May, 2017. The reason afforded by the respondent was that the metering required for RPPO has not been complied with. The petitioner applied for the same again in July, 2017 and it was granted accreditation for 5 years, which is valid upto October, 2022. While accepting the fresh request, the respondent did not object or raise any question on the metering as was earlier done. The respondent ought to have considered accreditation for the earlier period also. The respondent did not mention or convey any other reasons for refusing accreditation for the earlier period of 2014 to 2017.

The advocate representing the counsel for the respondent stated that the petitioner had never complied with the requirements of the respondent. He traced out

the correspondents made by the respondent requiring the petitioner to submit certain documents and information as early as in the year 2015 itself and the petitioner was seeking time to file the same time and again. Hence, the respondent had no option but to reject the application for accreditation. The rejection is not based on the sole ground of metering aspect but also non-compliance of the requirements sought by the respondent. Subsequently, in the fresh application, the petitioner submitted all the requirements, hence accordingly the request was considered.

The advocate representing the counsel for petitioner stated that the respondent cannot improve upon itself decision subsequent to the filing of the petition before the Commission. In this regard, he has relied on the Hon'ble Supreme Court judgment reported in 1978 SCC 405 in the matter of Mohinder Singh Gill & another Vs. The Chief Election Commissioner, New Delhi & others. The Hon'ble Supreme Court emphasized that the contesting party cannot add or vary the contents of the decision taken by it subsequent to the filing of petitions or representations before the competent authorities. Therefore, the contentions raised by the respondent are beyond the scope of the petition.

The advocate representing the counsel for petitioner sought the prayer to be allowed for continuity sake as also to derive the consequential benefits for accreditation. The advocate representing the counsel for respondent sought rejection of the petition as the petitioner suffered refusal way back in the year 2017 and there is no case for consideration in view of the record speaking against the petitioner. Considering the submissions of the parties, the matter is reserved for orders.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 47 of 2022	M/s. J. K. Fenner (India) Limited	TSSPDCL & TSTRANSCO

Petition filed seeking directions to the respondents to grant open access and credit the energy already injected into the grid towards captive consumption.

Sri. Mohammad Bande Ali, Law Attachee for respondents is present. There is no representation for petitioner. As there is no representation on behalf of the petitioner, the matter is adjourned.

Call on 21.11.2022 at 11.30 AM.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 57 of 2022 & I. A. No. 52 of 2022	M/s. Surajkiran Renewable Resources Pvt. Ltd.	TSSPDCL

Petition filed seeking extension of SCOD and consequential reliefs.

I. A. filed seeking amendment of petition.

Sri. P. V. Nishanth, Advocate representing Sri. Khamar Kiran Kantamneni, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the pleadings in the matter are complete, however, the senior counsel appearing in the matter is not available and therefore, he requests further time for arguments. The representative of the respondent has no objection. Considering the request of the parties, the matter is adjourned.

Call on 21.11.2022 at 11.30 AM.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 58 of 2022 & I. A. No. 45 of 2022	M/s. Sneha Renewable Energies Ltd.	Spl. Chief Secretary, Energy Dept., TSSPDCL & TSTRANSCO

Petition filed seeking directions to the respondents to enter into PPA by fixing tariff at Rs. 5/- per unit.

I. A. filed seeking interim order directing the respondents to purchase power from the petitioner on payment of average pooled purchase costs till the disposal of the petition.

Sri P. Keshava Reddy, Managing Director for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The representative of the petitioner stated that the matter has been discussed with the respondent and the discussion is inconclusive. The representative of the respondent stated that the matter has been referred to the coordination committee of the licensee and a decision is awaited. In view of the position stated above, the matter is adjourned.

Call on 21.11.2022 at 11.30 AM.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 71 of 2022 & I. A. No. 53 of 2022	M/s. Halo Energies Private Limited	TSSPDCL & its officers

Petition filed seeking to question the levy of cross subsidy surcharge towards the power drawn by its consumers.

I. A. filed seeking direction to the respondents not to deduct or recover CSS from the bills of its consumers pending disposal of the main petition.

Sri. S. Ravi, Senior Advocate along with Sri. M. Naga Deepak, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The senior advocate appearing for the petitioner has submitted the background of the case. He has explained the need for exempting the petitioner from the levy of cross subsidy surcharge. The respondent did not consider the orders of the Commission in the matter duly taking into account the various dates of synchronisation of the project for the respective capacities. The representative of the respondent reiterated the contentions in the counter affidavit. He also sought permission of the Commission to file written submissions in the matter. As such, permission has been accorded for filing the same. Having heard the submissions of the parties, the matter is reserved for orders.

Sd/-  
Member

Sd/-  
Member

Sd/-  
Chairman