

Record of proceedings dated 05.06.2023

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.

Ms. P. Lakshmi, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that despite the observations of the Commission to conciliate in the matter, no progress could be made as the parties have stuck to their stand. On being asked, the representative of the DISCOM stated that no headway is made despite the matter being referred to the coordination committee. The rate offered still stands at the same point as was there at the last hearing. The counsel for petitioner gave a copy of further representation to the DISCOM GENCO. The counsel for petitioner sought a short date for arguing the matter. Accordingly, the matter is adjourned.

Call on 22.06.2023 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. 6 of 2023 & I. A. No. 1 of 2023	M/s. Orient Cement Company Limited	TSTRANSCO for SLDC, TSNPDCL & SE OMC Circle, TSTRANSCO

Petition filed questioning the levy of line and bay maintenance charges and consequential relief.

I. A. filed seeking stay the collection of bay and line maintenance charges in pursuance of letter dt. 01.11.2022 issued by R-1 pending disposal of the main petition.

Sri. Deepak Chowdary, Advocate representing Sri. Challa Gunaranjan, 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 has been filed today with a copy made available to the representative of the respondents.

The representative of the respondents confirmed the same. However, the advocate sought for further time to argue the matter. Accordingly, the matter is adjourned.

Call on 10.07.2023 at 11.30 AM.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O.P.(SR) No.68 of 2023	TSTRANSCO	-None-

Petition filed seeking approval of state electricity plan for the 5th control period FY 2024-25 to FY 2028-29 and 6th control period FY 2029-30 to FY 2033-34.

Sri. Praveen Maris, CE / RAC, TSTRANSCO along with Sri Mohammad Bande Ali, Law Attachee of TSSPDCL is present. The representative of the petitioner stated about the details of the proposals that are to be considered for state electricity plan. The Commission having noticed that the matter is listed only for maintainability of the petition and observed that the petition is not required to be filed before the Commission, however, it has to cause a paper publication notifying the proposals and based on the comments place the matter before the State Coordination Committee (SCC). The Commission itself will be a stakeholder and offer its remarks to the proposals. The finality will be achieved of the plan with the approval by the SCC. Accordingly, the matter is reserved for orders.

Sd/-
Member

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Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
R. P. (SR) No. 73 of 2023 in O. P. Nos.75 & 76 of 2022	TSSPDCL	-None-

Review petition filed seeking review the common order dated 20.03.2023 in O. P. Nos. 75 & 76 of 2022 filed by TSDISCOMs, which the Commission had determined the additional surcharge to be levied on open access consumers for the first hear (H1) of FY 2023-24.

Sri. S. Sunil Kumar, DE / RAC of TSSPDCL along with Sri Mohammad Bande Ali, Law Attachee for review petitioner is present. The representative of the review petitioner stated that certain aspects have not been considered while deciding the additional surcharge (AS) for the 1st half (H1) of FY 2023-24. The Commission may consider the aspects now set out in the review petition. At this stage, the

Commission pointed that all these aspects should have been submitted at the first instance in the original proceedings. As such, the same cannot be considered now. Accordingly, the matter is reserved for orders.

Sd/-
Member

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Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 71 of 2023	M/s. Dundigal Waste 2 Energy Pvt. Ltd.	TSSPDCL

Petition filed seeking directions to the respondent for execution of a power purchase.

Sri. D. Prakash Reddy, Senior Advocate along with Sri. Matrugupta Mishra and Ms. Ishita Thakur, Advocates for petitioner is present. The counsel for petitioner stated that the petition is filed for directions to the respondent to enter into PPA with the petitioner. The petitioner has established RDF based WTE project on the isolated basis. The respondent is required to procure the power generated from the project of the petitioner as is required under the policy of the government. The petitioner approached the respondent to enter into PPA for the project, however, the respondent insisted on producing the concession agreement entered with the GHMC as also an undertaking that it will reimburse the tipping fee that may be paid by the GHMC under the agreement for concession.

The counsel for petitioner explained in detail the correspondence set out between the petitioner and respondent with regard to production of documents as also giving an undertaking to reimburse the tipping fee as and when it is paid by GHMC. The counsel for petitioner stated that this aspect flows from the order of the Commission dated 18.04.2020 wherein it had directed the reimbursement of tipping fee. However, the Commission had also observed that it is for the DISCOM to verify before claiming the same in paragraph 92 of the said order.

The counsel for petitioner stated that the petitioner is not liable to pay the same as it is not the concessionaire who is drawing tipping fee from GHMC and this fact is confirmed by GHMC itself. The petitioner is willing to enter into agreement for power generation by incorporating the condition that it will reimburse the tipping fee as and when it is paid by GHMC, though, it may not be paid so as it is not a concessionaire. Further, it is also stated that the issue of tipping fee is under

consideration in separate petitions before the Commission and as such, it is agreeable to give an undertaking that reimbursement of tipping fee would be subject to the decision of the Commission.

The counsel for petitioner stated that the petitioner is ready with the project and directions may be given to the respondent to enter into PPA with the petitioner. In fact, the Commission had notified the Regulation No. 7 of 2022, wherein the Commission had provided that it has power to give directions to the respondent to enter into PPA for procurement of power. Also, as per the policy of the government, the respondent is bound to purchase the capacity of 100% without fail.

In these circumstances, the counsel for petitioner prayed the Commission that the petition may be taken on file and pass appropriate orders as the project is ready for synchronization having obtained all the necessary consents and permissions.

Having heard the counsel for petitioner, the matter is reserved for orders.

Sd/-
Member

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Member

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 72 of 2023	M/s. Hyderabad MSW Energy Solutions Pvt. Ltd.	TSSPDCL

Petition filed seeking directions to the respondent for execution of a power purchase.

Sri. D. Prakash Reddy, Senior Advocate along with Sri. Matrugupta Mishra and Ms. Ishita Thakur, Advocates for petitioner is present. The counsel for petitioner stated that the petition is filed for directions to the respondent to enter into PPA with the petitioner. The petitioner has established RDF based WTE project and has already running a part of the project. This petition is related to the expanded capacity of 24 MW. The respondent is required to procure the power generated from the project of the petitioner as is required under the policy of the government. The petitioner approached the respondent to enter into PPA for the additional capacity of 24 MW of the project, however, the respondent insisted on producing the concession agreement entered with the GHMC as also an undertaking that it will reimburse the tipping fee that may be paid by the GHMC under the agreement for concession.

The counsel for petitioner explained in detail the correspondence set out between the petitioner and respondent with regard to production of documents as also giving an undertaking to reimburse the tipping fee as and when it is paid by GHMC. The counsel for petitioner stated that this aspect flows from the order of the Commission dated 18.04.2020 wherein it had directed the reimbursement of tipping fee. However, the Commission had also observed that it is for the DISCOM to verify before claiming the same in paragraph 92 of the said order.

The counsel for petitioner stated that the petitioner is not liable to pay the same as it is not the concessionaire who is drawing tipping fee from GHMC and this fact is confirmed by GHMC itself. The petitioner is willing to enter into agreement for power generation by incorporating the condition that it will reimburse the tipping fee as and when it is paid by GHMC, though, it may not be paid so as it is not a concessionaire, it being only a special purpose company established for power generation only. It does not undertake any of the activities enumerated in the concession agreement and as such, the tipping fee, if any, paid to the concessionaire is not being paid to the petitioner. Further, it is also stated that the issue of tipping fee is under consideration in separate petitions before the Commission and as such, it is agreeable to give an undertaking that reimbursement of tipping fee, if any, would be subject to the decision of the Commission.

The counsel for petitioner stated that the petitioner is ready with the additional capacity of the project and directions may be given to the respondent to enter into PPA with the petitioner. Also, the existing project had been enhanced to 24 MW against original proposal of 19.8 MW. A PPA to that effect had already been signed and the same is placed by the respondent before the Commission for approval. The said matter is pending consideration by the Commission. In fact, the Commission had notified the Regulation No. 7 of 2022, wherein the Commission had provided that it has power to give directions to the respondent to enter into PPA for procurement of power. Also, as per the policy of the government, the respondent is bound to purchase the capacity of 100% including the original capacity, without fail.

In these circumstances, the counsel for petitioner prayed the Commission that the petition may be taken on file and pass appropriate orders as the project is

complete in all respects having obtained all the necessary consents and permissions.

Having heard the counsel for petitioner, the matter is reserved for orders.

Sd/-
Member

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Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 12 of 2023	M/s. Sai Adithya Green Energy Pvt. Ltd.	TSSPDCL & its officer

Petition filed seeking to claim of the units fed into the grid of the respondent as deemed purchase and pay the average pooled power cost as determined by the Commission for the relevant years of 2020-21 and 2021-22.

Sri. Deepak Chowdary, Advocate representing Sri. Challa Gunaranjan, counsel for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The advocate representing the counsel for petitioner stated that the matter is coming for the first time and the counter affidavit has to be filed, but it had already been filed. He needs time for filing rejoinder in the matter by four weeks time. The representative of the respondents while stating that the counter affidavit had already been filed, has no objection for adjournment of the matter. Accordingly, the matter is adjourned.

Call on 10.07.2023 at 11.30 A. M.

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Member

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 13 of 2023	TSDISCOMs	SCCL

Petition filed seeking directions to the respondent in respect of procurement of power pricing charged by Singareni Thermal Power Plant (STPP) towards procurement of power from 2 X 600 MW for FY 2021-22 to till the date of operationalization of Naini Coal Block and later to adopt the CERC input price determination methodology in the interest of end consumers.

Sri. D. N. Sarma, OSD / TSDISCOMs for petitioners and Sri. G. V. Brahmananda Rao, Advocate for respondent are present. The representative of the petitioners stated that the matter is coming up for the first time and counter affidavit has to be filed in the matter. The advocate representing the counsel for respondent stated that he needs four weeks time to file counter affidavit. The matter may be posted in the

month of July, 2023. The representative of the petitioners stated that an opportunity may be given to the petitioners to file rejoinder after filing of the counter affidavit. The Commission observed that the respondent shall file counter affidavit as expeditiously as possible and not later than the next date of hearing. If required further time will be given for filing rejoinder. In view of the above, the matter is adjourned.

Call on 10.07.2023 at 11.30 A.M.

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