

Record of proceedings dated 12.01.2023

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 49 of 2022	M/s. Vena Energy Solar India Power Pvt. Ltd.	TSSPDCL

Petition filed seeking directions to the respondent for payment of dues along with late payment surcharge duly complying with the provisions of PPA of the project situated at Sadasivpet (V), Medak District

Sri. Aditya K. Singh, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent, even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, 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. 50 of 2022	M/s. Vena Energy Solar India Power Pvt. Ltd.	TSSPDCL

Petition filed seeking directions to the respondent for payment of dues along with late payment surcharge duly complying with the provisions of PPA of the project situated at Minpur (V), Medak District

Sri. Aditya K. Singh, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent, even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of

arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, 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. No. 52 of 2022 & I. A. No. 42 of 2022	M/s. Ujjvalatejas Solaire Urja Pvt. Ltd.	TSNPDCL

Petition filed seeking release of payments due to the petitioner by the respondent and consequently payment of future bills in a timely manner in accordanced with PPA.

I. A. filed seeking interim order directing the respondent to pay 80% of the pending amounts to USUPL within one week as well as to deposit the balance 20% of the pending amounts with the Commission.

Sri. Vishrov Mukerjee alongwith Sri. P. S. S. Bhargava, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner

is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. In support of his case, he has filed an affidavit explaining the provisions of the PPA, the amounts due alongwith calculations and the findings of the Hon'ble Supreme Court and ATE as also filed the same before the Commission for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, the matter is reserved for orders.

Sd/-
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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. 53 of 2022 & I. A. No. 43 of 2022	M/s. Suprasanna Solaire Urja Pvt. Ltd.	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the respondent and consequently payment of future bills in a timely manner in accordance with PPA.

I. A. filed seeking interim order directing the respondent to pay 80% of the pending amounts to SSUPL within one week as well as to deposit the balance 20% of the pending amounts with the Commission.

Sri. Vishrov Mukerjee alongwith Sri. P. S. S. Bhargava, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. In support of his case, he has filed an affidavit explaining the provisions of the PPA, the amounts due alongwith calculations and the findings of the Hon'ble Supreme Court and ATE as also filed the same before the Commission for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the

Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, 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. No. 54 of 2022 & I. A. No. 44 of 2022	M/s. Nirjara Solaire Urja Pvt. Ltd.	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the respondent and consequently payment of future bills in a timely manner in accordance with PPA.

I. A. filed seeking interim order directing the respondent to pay 80% of the pending amounts to NSUPL within one week as well as to deposit the balance 20% of the pending amounts with the Commission.

Sri. Vishrov Mukerjee alongwith Sri. P. S. S. Bhargava, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount

became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. In support of his case, he has filed an affidavit explaining the provisions of the PPA, the amounts due alongwith calculations and the findings of the Hon'ble Supreme Court and ATE as also filed the same before the Commission for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. 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. No. 59 of 2022 & I. A. No. 49 of 2022	M/s. Achampet Solar Private Limited	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

I. A. filed seeking interim order directing the respondent No. 1 to pay 80% of the pending amounts to ASPL within one week pending final adjudication.

Sri. Amit Kapoor alongwith Sri. T. G. Rejesh Kumar, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings

on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. The licensee is attempting to calculate the LPS, though not intimated, from the date when it had issued notice of undertaking payments without indicating the actual amounts due as also the period when the amounts have accrued for the first time. In support of his case, he has filed an affidavit extracting the order of the Commission along with the details of the amount due and the calculations to be arrived at in terms of the provisions of the PPA for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee

has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, 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. No. 60 of 2022 & I. A. No. 48 of 2022	M/s. Padmajiwadi Solar Private Limited	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

I. A. filed seeking interim order directing the respondent No. 1 to pay 80% of the pending amounts to PSPL within one week pending final adjudication.

Sri. Amit Kapoor alongwith Sri. T. G. Rejesh Kumar, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. The licensee is attempting to calculate the LPS, though not intimated, from the date when it had issued notice of undertaking payments without indicating the actual amounts due as also the period when the amounts have accrued for the first time. In support of his case, he has filed an affidavit extracting the order of the Commission along with the

details of the amount due and the calculations to be arrived at in terms of the provisions of the PPA for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, 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. No. 61 of 2022 & I. A. No. 46 of 2022	M/s. Ghanpur Solar Private Limited	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

I. A. filed seeking interim order directing the respondent No. 1 to pay 80% of the pending amounts to GSPL within one week pending final adjudication.

Sri. Amit Kapoor alongwith Sri. T. G. Rejesh Kumar, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent

in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. The licensee is attempting to calculate the LPS, though not intimated, from the date when it had issued notice of undertaking payments without indicating the actual amounts due as also the period when the amounts have accrued for the first time. In support of his case, he has filed an affidavit extracting the order of the Commission along with the details of the amount due and the calculations to be arrived at in terms of the provisions of the PPA for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the

amounts due, no further time can be considered in the matter. Accordingly, the matter is reserved for orders.

Sd/-
Member

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 62 of 2022 & I. A. No. 50 of 2022	M/s. Thukkapur Solar Private Limited	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

I. A. filed seeking interim order directing the respondent No. 1 to pay 80% of the pending amounts to TSPL within one week pending final adjudication.

Sri. Amit Kapoor alongwith Sri. T. G. Rejesh Kumar, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. The licensee is attempting to calculate the LPS, though not intimated, from the date when it had issued notice of undertaking payments without indicating the actual amounts due as also the period when the amounts have accrued for the first time. In support of his case, he has filed an affidavit extracting the order of the Commission along with the

details of the amount due and the calculations to be arrived at in terms of the provisions of the PPA for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, the matter is reserved for orders.

Sd/-
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Chairman

Record of proceedings dated 12.01.2023

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 63 of 2022 & I. A. No. 51 of 2022	M/s. Renjal Solar Private Limited	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

I. A. filed seeking interim order directing the respondent No. 1 to pay 80% of the pending amounts to RSPL within one week pending final adjudication.

Sri. Amit Kapoor alongwith Sri. T. G. Rejesh Kumar, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent

in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. The licensee is attempting to calculate the LPS, though not intimated, from the date when it had issued notice of undertaking payments without indicating the actual amounts due as also the period when the amounts have accrued for the first time. In support of his case, he has filed an affidavit extracting the order of the Commission along with the details of the amount due and the calculations to be arrived at in terms of the provisions of the PPA for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the

amounts due, no further time can be considered in the matter. Accordingly, the matter is reserved for orders.

Sd/-
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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 64 of 2022 & I. A. No. 47 of 2022	M/s. Gummadidala Solar Private Limited	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

I. A. filed seeking interim order directing the respondent No. 1 to pay 80% of the pending amounts to GSPL within one week pending final adjudication.

Sri. Amit Kapoor alongwith Sri. T. G. Rejesh Kumar, counsels for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place. Insofar as LPS is concerned, the provisions of PPA require that the amount should be calculated and paid for as and when the amount became due and not paid in time. The counsel highlighted the provisions in the PPA with regard to the same. The licensee is attempting to calculate the LPS, though not intimated, from the date when it had issued notice of undertaking payments without indicating the actual amounts due as also the period when the amounts have accrued for the first time. In support of his case, he has filed an affidavit extracting the order of the Commission along with the

details of the amount due and the calculations to be arrived at in terms of the provisions of the PPA for undertaking proper adjudication in the matter.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 65 of 2022	M/s. Essel Mining & Industries Limited (10 MW Mustyal plant)	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

Sri. Aditya K. Singh, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent, even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is

with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, 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. 66 of 2022	M/s. Essel Mining & Industries Limited (5 MW Achampet plant)	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

Sri. Aditya K. Singh, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on

payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent, even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, 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. 67 of 2022	M/s. Essel Mining & Industries Limited (10 MW Pedda Shankarampeta plant)	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

Sri. Aditya K. Singh, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent, even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the amounts due, no further time can be considered in the matter. Accordingly, 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. 68 of 2022	M/s. Essel Mining & Industries Limited (10 MW Kalwakurthy plant)	TSSPDCL

Petition filed seeking release of payments due to the petitioner by the DISCOM and consequential payment of future bills in a timely manner in accordance with PPA.

Sri. Aditya K. Singh, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The counsel for petitioner stated that the Commission had specifically recorded in the proceedings on the earlier date of hearing that the action required to be taken by the respondent in the matter on payment of amounts duly identifying the same. However, no action including the filing of any information has come forth from the respondent, even after lapse of the period till the date of hearing. In fact, the Commission had already considered the issues and disposed of several similar cases and what remains to be examined, is with reference to the amounts due on different heads. The issue of LPS is not adverted to anywhere nor any information is coming forth from the respondent. It is appropriate that the respondent places the information both in respect of LPS as well as principal amount, though the principal amount is being reimbursed in terms of the mechanism stated earlier. The petitioner is also in receipt of current payments, but the issue of LPS as also opening of letter of credit has not taken place.

The representative of the respondent stated that in terms of the directions of the Commission, arrangements have been made for payment of the amount due. The arrangements have already been made for payment of the arrears, but there is no issue of LPS in these cases and no quantification is required to be made. The petitioner is at liberty to approach the respondent for payment of LPS in terms of the PPA. The respondent having considered and made arrangement for payment of arrears as well as current liability is not required to make any other payment. The licensee is ready to comply with the provisions of the PPA, however, the Commission may consider the unreasonable argument with reference to payment of LPS despite the fact that the payment is being effected in a timely manner.

The Commission noticed that the provisions in the PPA as explained by the petitioner would call for payment of LPS as also incentive. However, as the licensee has failed to comply with the directions as also did not place any information on the

amounts due, no further time can be considered in the matter. Accordingly, 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. 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. Soma Sekhara Naidu, Advocate representing Sri. Srinivasa Rao Pachwa, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for the respondents are present. The advocate representing the counsel for petitioner stated that the main prayer is with regard to late payment charges. The matter is distinguishable from the other batch of cases for the reason that the charges are being demanded for an earlier period and such amount is not with reference to the current dues as is involved in other cases. The respondent has failed to pay the charges as it has made the principal amount payment belated day beyond the stipulated time in the PPA. Consequently, it ought to have paid the late payment charges, but failed to do so. No submissions are made despite granting time. The Commission may consider the submissions in the petition as also the arguments rendered in earlier batches of cases, which squarely apply to this case also. The representative of the respondent has pointed out the payments are being effected, but did not make any written statement on the same. Since, substantially the issue has been decided by the Commission as also several other petitions are being considered now, this matter requires no further hearing and is accordingly reserved for orders.

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. Soma Sekhara Naidu, Advocate representing Sri. Srinivasa Rao Pachwa, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for the respondents are present. The advocate representing the counsel for petitioner stated that the petition is filed seeking to recover the amounts deducted towards auxiliary consumption alongwith interest. The period involved is for the period from November, 2020 to April, 2021. Initially, the petitioner was informed that it is deviating from the approved auxiliary consumption while undertaking the generation of power. However, in order to rectify the said aspect, the petitioner has sought change of meters. Accordingly, the meters were replaced and new readings were taken under KVAH billing instead of KWH. Without notifying the clearance of auxiliary consumption aspect new issue of power factor has been raised consequent upon change of meters. Thus, they are demanding arrears for non-maintenance of power factor. It is strange that the said aspect was within the knowledge of the licensee, but it was not figured out earlier, which aspect would have avoided in change of meters. The said aspect was raised conveniently while relegating the issue of auxiliary consumption as it was noticed that auxiliary consumption before and after the change of meters remained the same. The licensee is seeking to levy charges for an issue, which is actually not within the forte of the generator and it had already collected the amount, hence the present petition is filed for being reimbursement of the same.

The representative of the respondents has stated that the petitioner though raised an issue of auxiliary consumption, the real issue involved in the petition is for collection of charges towards power factor. The issue of power factor came to light only upon undertaking change of meters and billing the supply drawn by the petitioner. It is the responsibility of the petitioner to maintain power factor. Since,

there is violation of the same, present charges are levied and collected from the petitioner. The petitioner cannot claim either refund or interest on the amount as it is bound to pay the same. Having heard the submissions of 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. 72 of 2022	M/s. Sunshakti Solar Power Projects Private Limited	TSNPDCL & its officer

Petition filed seeking extension of SCOD and consequential reliefs.

Sri. Mohammad Bande Ali, Law Attachee for respondents is present. There is no representation for petitioner. There was no representation at the time when the matter is called. In view of the absence of the counsel for petitioner, the matter is adjourned.

Call on 10.04.2023 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. 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. Aniket Prasoan, Advocate representing Sri. Khamar Kiran Kantamneni, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The advocate representing the counsel for petitioner stated that the petitioner had entered into PPA on 03.02.2016 and the period of 15 months would expire on 02.05.2017. The actual COD had taken place on 11.10.2017. There is a delay of 162 days. Consequently, the respondent had invoked the bank guarantees on 10.04.2018. The present petition was filed for extending the SCOD of the project from 02.05.2017 to 11.10.2017 and to refund the bank guarantee invoked by the respondent. Though the bills have been paid by the respondent pursuant to

synchronization of the plant, the issue of encash the bank guarantee remained unresolved.

The advocate representing the counsel for the petitioner stated there were several conditions which constituted force majeure events which have been recognised by the Commission. These included demonitisation, implementation of GST, reorganisation of districts and heavy rainfall. Owing to the same reasons the project got delayed. The advocate representing the counsel for petitioner stated that the petitioner is aware of the decision of the Commission in an earlier matter refusing to extend the SCOD and consequently the bank guarantees. The dates under reference for calculating the limitation for filing the present petition would fall in the time period of the pandemic and the Hon'ble Supreme Court allowed extension of time for considering the limitation period upto 90 days beyond 28.02.2022. Thus, the present petition is well within the time of three years required under Article 114 of the Limitation Act.

The advocate representing the counsel for petitioner stated that the petitioner is conscious of the dates mentioned by the Commission in its order refusing SCOD in respect of other cases. Though, dates taken by the Commission may constitute the start and end points of limitation, the case of the petitioner would fall within the extended limitation granted by the Hon'ble Supreme Court from 15.03.2020 to 28.02.2022 plus 90 days assuming that the respondent had required the petitioner to file a petition before the Commission 03.02.2018 or the encashment of bank guarantee on 10.04.2018. The finding arrived at by the Commission in the earlier case would not be sustainable in view of the fact that the Hon'ble Supreme Court had itself extended the timeline upto 28.02.2022 along with the grace period of 90 days. Therefore, the Commission may consider extending the SCOD and order for refund of bank guarantee invoked by the respondent with interest to the petitioner.

The representative of the respondent stated that the petitioner has not complied with the required conditions as mentioned in the PPA. The petitioner ought to have completed the project within the timelines as specified in the PPA. In the absence of compliance of the provisions of the PPA, the petitioner cannot claim the benefit of extension of SCOD as was considered by the Commission. In fact, the Commission required the licensee to inform every generator for filing a proper

petition before the Commission for extension of time. The petitioner has failed to do so and this belated stage after more than 3 years is seeking refund of bank guarantee as well as extension of SCOD to the date when the plant was synchronised. Nothing prevented the petitioner from approaching the respondent and informing of the delay in the project and in complying with the directions of the Commission. The petitioner has absolutely not made out any case for interference. The reliance placed on the orders of the Hon'ble Supreme Court neither relevant nor appropriate to the facts of this case.

Having heard 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. 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 efforts are made to settle the issue and the proposals for tariff have been given. However, the licensee proposed very least tariff of Rs. 2.15 per unit. The petitioner made further representation that the licensee may consider allowing pooled cost as determined by the Commission. The representative of the respondents stated that the proposals are received only recently and the matter is placed before the Coordination Committee. Necessary action will be taken based upon the decision of the Coordination Committee, which is awaited. The Commission emphasized that appropriate decision be taken at the earliest time by considering the issue of tariff in respect of the petitioner's project, which is of small capacity. The matter is adjourned to place the decision in the matter before the Commission.

Call on 04.04.2023 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. 73 of 2022 & I. A. No. 56 of 2022	M/s. Hyderabad MSW Energy Solutions Private Limited	TSSPDCL

Petition filed seeking directions to the respondent in respect of billing under PPA and reimbursement of the excess deduction made towards import charges.

I. A. filed seeking exparte ad-interim direction restraining the respondent No. 1 from applying threshold PLF mentioned in the tariff order, deducting any additional amounts towards import charges under the PPA and also directing R-1 to make an upfront payment of 50% of the principal amount.

Ms. Ishita Thakur, Advocate representing Sri. Matrugupta Mishra, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The advocate representing the counsel for petitioner stated that the counter affidavit has been filed today and she requires time to file rejoinder in the matter. Time may be granted for two weeks and the matter may be scheduled after the said period. The representative of the respondent has no objection. Expressing that the Commission is required to undertake tariff determination exercise on several counts, the matter is adjourned.

Call on 04.04.2023 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. 27 of 2020	M/s. L & T Metro Rail (Hyderabad) Limited	TSSPDCL

Petition filed seeking directions for deration of the CMDs for the connections given to the petitioner for the entire lockdown period (upto 09.06.2020 for malls and still continuing for metro operations upto 31.07.2020 as per MHA order dated 29.06.2020) starting from 22.03.2020 and subsequently issue revised electricity bills to that effect.

Sri. Nethan Reddy alongwith Ms. Veena Raju, Advocates representing Sri. Khamar Kiran Kantamneni, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondent are present. The advocate representing the counsel for

petitioner stated that the matter has been remanded back to the Commission for a fresh disposal based on the observations made by the Hon'ble ATE. The counsel for petitioner will be able to make submissions only after two weeks, as the matter is required to be examined again. The representative of the respondent stated that the Hon'ble ATE did not specify any time limit for disposal on remand. Therefore, the Commission may schedule the matter at any point of time. Considering the request of the parties, the matter is adjourned.

Call on 04.04.2023 at 11.30 AM.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman