

Record of proceedings dated 15.11.2023

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. Ch. Rahul, Advocate representing Sri. P. Soma Shekar Reddy, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The advocate representing the counsel for petitioner stated that a similar matter in which appeal has been filed before the Hon'ble ATE and the same is pending consideration. In view of the above, this matter may be adjourned to a longer date. The representative of the respondents has opposed the request of the advocate representing the counsel for petition and stated that how the matter will be kept pending. In view of the pendency of the appeal, the Commission is inclined to grant adjournment as sought for. Accordingly, the matter is adjourned.

Call on 14.12.2023 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. 74 of 2022	M/s. Dinkar Technologies Private Limited	TSSPDCL

Petition filed seeking extension of SCOD and consequential reliefs.

Sri. Ch. Rahul, Advocate representing Sri. P. Soma Shekar Reddy, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The advocate representing the counsel for petitioner stated that a similar matter in which appeal has been filed before the Hon'ble ATE and the same is pending

consideration. In view of the above, this matter may be adjourned to a longer date. The representative of the respondents has opposed the request of the advocate representing the counsel for petition and stated that how the matter will be kept pending. In view of the pendency of the appeal, the Commission is inclined to grant adjournment as sought for. Accordingly, the matter is adjourned.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 17 of 2023	Garrison Engineer (I) R&D	TSTRANSCO & TSSPDCL

Petition filed seeking orders for handing over of connected assets to MES (Deemed licensee) created from defence funds at RCI, Hyderabad to establish direct grid connectivity being deemed licensee to enable MES to operate as deemed distribution licensee.

Sri. Mohammad Bande Ali, Law Attachee for respondents is present. There is no representation on behalf of the petitioner. The representative of the respondents sought further time for filing counter affidavit. Considering the request of the representative of the respondents, the matter is adjourned.

Call on 14.12.2023 at 11.30 A.M.

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Member

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Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 20 of 2023	M/s. Sarda Metals & Alloys Limited	TSDISCOMs

Petition filed seeking directions to the respondents to pay the surcharge on delayed payments of regular power supply bills and backdown compensation amount along with interest.

Sri. Deepak Chowdary, Advocate representing Sri. Challa Gunaranjan, counsel for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that till date the counter affidavit is not filed by the respondents. The representative of the respondents sought further time for filing counter affidavit. In view of the request of the representative of the respondents, the matter is adjourned.

Call on 14.12.2023 at 11.30 A. M.

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. 23 of 2023	M/s. DRES Energy Private Limited	TSTRANSCO & TSSPDCL

Petition filed seeking directions to the respondents to grant LTOA for (19) years to its 7.1 MW solar power project located at Bahadurpally (v), Quthubullapur Mandal, Medchal District and to settle the energy injected into the grid for the period from 26.04.2023 to 05.05.2023 and consequential reliefs.

Sri. Deepak Chowdary, Advocate for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that the counter affidavit has not been received by him. The representative of the respondents stated that insofar as DISCOM is concerned, the counter affidavit had

already been filed. The counsel for petitioner stated that the counter affidavit in respect of TSTRANSCO is also required to be filed. The Commission has observed that the counter affidavit of the DISCOM may be made available to the counsel for petitioner and the counter affidavit on behalf of TSTRANSCO shall be filed within a period of two weeks and thereafter, the counsel for petitioner may file the rejoinder, if any within two weeks thereafter or by the date of hearing. In these circumstances, the matter is adjourned.

Call on 14.12.2023 at 11.30 AM.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 24 of 2023	M/s. DRES Energy Private Limited	TSTRANSCO & TSSPDCL

Petition filed seeking directions to the respondents to grant LTOA for (19) years to its 8 MW solar power project located at Lingampally (v), Municipality Mandal, Medak District and to settle the energy injected into the grid for the period from 09.05.2023 to 16.05.2023 and consequential reliefs.

Sri. Deepak Chowdari, Advocate for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that the counter affidavit has not been received by him. The representative of the respondents stated that insofar as DISCOM is concerned, the counter affidavit had already been filed. The counsel for petitioner stated that the counter affidavit in respect of TSTRANSCO is also required to be filed. The Commission has observed that the counter affidavit of the DISCOM may be made available to the counsel for petitioner and the counter affidavit on behalf of TSTRANSCO shall be filed within a period of two weeks and thereafter, the counsel for petitioner may file the rejoinder,

if any within two weeks thereafter or by the date of hearing. In these circumstances, the matter is adjourned.

Call on 14.12.2023 at 11.30 AM.

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Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 27 of 2023	M/s. Bhagyanagar India Limited	TSTRANSCO & TSSPDCL

Petition filed seeking directions to the respondents to grant LTOA from 31.03.2023 as well as to settle the energy injected into the grid for the period from 31.03.2023 to 14.06.2023 and other reliefs.

Sri. Deepak Chowdari, Advocate for petitioner and Sri. Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that the counter affidavit has not been received by him. The representative of the respondents stated that insofar as DISCOM is concerned, the counter affidavit had already been filed. The counsel for petitioner stated that the counter affidavit in respect of TSTRANSCO is also required to be filed. The Commission has observed that the counter affidavit of the DISCOM may be made available to the counsel for petitioner and the counter affidavit on behalf of TSTRANSCO shall be filed within a period of two weeks and thereafter, the counsel for petitioner may file the rejoinder, if any within two weeks thereafter or by the date of hearing. In these circumstances, the matter is adjourned.

Call on 14.12.2023 at 11.30 AM.

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Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
R. P. (SR) No. 79 of 2023 in O. P. No. 77 of 2022	M/s. Singareni Collieries Company Limited	TSDISCOMs

Review petition filed seeking review of the order dated 23.03.2023 in O. P. No. 77 of 2022 passed by the Commission

Sri. P. Shiva Rao, counsel for review petitioner is present. The counsel for review petitioner has stated that the review petition is filed against the order passed on 23.03.2023 in O. P. No. 77 of 2022 filed by the review petitioner itself. The original petition was filed for undertaking revision of the tariff upon undertaking trueing up exercise in the middle of the control period. The heading in the regulation states that 'mid-term review' is to be carried out is irrelevant and is a misnomer. The original order passed by the Commission is not an order undertaking the review of any other proceedings but is an original consideration of the aspects of trueing up for the 1st three years of the control period and projection for the remaining two years of the same control period. Therefore, this review petition is maintainable.

The counsel for review petitioner stated that a review against an order reviewing the earlier proceedings would not lie and cannot be entertained by the Commission. In that event, the Commission will be right in its questioning the maintainability of such review petition. However, the present petition is not against any order reviewing any other proceedings and it is filed for reviewing the general order. Even the present original proceedings have its roots in the order dated 28.08.2020 in the matter of capital investment and business plans along with tariff.

Therefore, the present review petition is prima facie maintainable before the Commission.

The counsel for review petitioner stated that certain aspects in the original proceedings did not find attention of the Commission and there are incomplete or inadequate findings. The question of considering the ingredients of the review would arise once the petition is taken on file of the Commission.

The counsel for review petitioner stated that the Commission may, in the interest of justice, consider the case of the review petitioner. He stated that the headings and side headings for the Act or Rule or Regulation would not make sense and they cannot be considered for decision making in the matter. The entire provision made thereof should be considered for arriving at any decision on a particular aspect. He would like to place the relevant decisions of the Hon'ble Supreme Court on this aspect by next working day. Having heard the counsel for review petitioner, the matter is reserved for orders.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
R. P. (SR) No.101 of 2023 in O. P. No. 47 of 2022	TSSPDCL	M/s. J.K. Fenner (India) Ltd. & TSTRANSCO

Review petition filed seeking review of the order dated 31.07.2023 in O. P. No. 47 of 2022 passed by the Commission

Sri. Mohammad Bande Ali, Law Attachee for the review petitioner is present. The representative of the review petitioner has stated that the Commission had passed

orders contrary to the facts available on record. The original petitioner has no case as it has not entered into banking arrangement or open access agreement with the DISCOM. The Commission did not appreciate the applicability of Regulation No. 1 of 2017. The Commission had not considered the timelines provided in the open access regulation and allowed compensation beyond the period for which the original petitioner is entitled to the same. Thereby, the order sought to be reviewed by this petition suffice from apparent on the face of the record. As such, the Commission may consider admitting the review petition and undertaking fresh hearing in the matter, in the light of the facts narrated in the review petition. Having heard the submissions of the review petitioner, the matter is reserved for orders.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
R. P. (SR) No.102 of 2023 in O. P. No. 25 of 2022	TSSPDCL	M/s. The Hyderabad Institute of Oncology Pvt. Ltd., TSTRANSCO & TSNPDCL

Review petition filed seeking review of the order dated 25.07.2023 in O. P. No. 25 of 2022 passed by the Commission

Sri. Mohammad Bande Ali, Law Attachee for the review petitioner is present. The representative of the review petitioner has stated that the Commission had passed orders contrary to the facts available on record. The original petitioner has no case as it has not entered into banking arrangement or open access agreement with the DISCOM. The Commission did not appreciate the applicability of Regulation No. 1 of 2017. The Commission had not considered the timelines provided in the open

access regulation and allowed compensation beyond the period for which the original petitioner is entitled to the same. Thereby, the order sought to be reviewed by this petition suffice from apparent on the face of the record. As such, the Commission may consider admitting the review petition and undertaking fresh hearing in the matter, in the light of the facts narrated in the review petition. Having heard the submissions of the review petitioner, the matter is reserved for orders.

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