

Record of proceedings dated 16.07.2015

O. P. No. 4 of 2015

M/s Gayathri Sugars Limited Vs Govt. of Telangana & TSNPDCL

Petition seeking determination of tariff for the project as the tariff mentioned in the power purchase agreement (PPA) is unviable

Sri. S Rambabu counsel for the petitioner along with Sri. S Murali Krishna representative of the petitioner and Sri. J. Aswini Kumar Advocate for Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner stated that the petitioner has already submitted detailed arguments and stated that all the details have been filed by the petitioner earlier itself in its memo dated 25.04.2015. The counsel for the petitioner submitted that he prays the Commission to pass some interim order as the respondents are taking time on one pretext or the other and have not come forward with their submission pursuant to notice of the Commission.

The counsel for the respondent has sought further time by stating that the concerned personnel are in the process of preparing a reply to the submissions and would be ready with the submission by the next date of hearing.

The Commission adjourned the hearing, but made it clear that no further adjournment should be sought either by the petitioner or the respondents and the parties should be ready all the facts to submit arguments. It directed the counsel for the petitioner and respondent to file details as required for the matter in a time bound manner, that is, the respondent shall file its details by 04.08.2015 and the petitioner may reply by the 11th August 2015.

The commission specifically passed interim order directing the respondents to pay 30% of the amount claimed as per the proposed amounts based on calculations submitted by the petitioner without fail by 24th July 2015 pending disposal of the main petition. Adjourned.

Sd/-
Member

Sd/-
Member

Call on 11.08.2015
At 11:00 AM
Sd/-
Chairman

O. P. No. 5 of 2015

M/s Knowledge Infrastructure Systems Pvt. Ltd & M/s Shalivahana (MSW) Green Energy Ltd. vs TSSPDCL & TSPCC

Petition filed u/s 86 (1) (f) of the Electricity Act, 2003 claiming certain amounts due on account of supply of electricity under short term purchase for the months January, February and March, 2013

Sri. M. K. Viswanatha Naidu Advocate for Sri. Challa Gunaranjan counsel for the petitioner and Sri. J. Aswini Kumar Advocate for Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner stated that the petitioner has to take steps to amend the cause title and needs to file the necessary petition, therefore, he seeks time to file the same. The counsel for the respondent has no objection

The Commission adjourned the hearing granting time for filing the necessary application. Adjourned.

Sd/-
Member

Sd/-
Member

Call on 04.08.2015
At 11:00 AM
Sd/-
Chairman

O. P. No. 6 of 2015

M/s Rithwik Power Projects Ltd. vs TSNPDCL

Petition filed seeking directions to the licensee for payment of tariff for the additional capacity of 1.5 MW at the rate being paid to existing 6 MW power plant.

Sri. M. K. Viswanatha Naidu Advocate for Sri. Challa Gunaranjan counsel for the petitioner and Sri. J. Aswini Kumar Advocate for Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner stated that the petitioner has to take steps to amend the cause title and needs to file the necessary petition, therefore, he seeks time to file the same. The counsel for the respondent has no objection

The Commission adjourned the hearing granting time for filing the necessary application. Adjourned.

Sd/-
Member

Sd/-
Member

Call on 04.08.2015
At 11:00 AM
Sd/-
Chairman

O. P. No. 7 of 2015

M/s Shalivahana (MSW) Green Energy Ltd. Vs TSLDC

Petition filed questioning the refusal of grant of accreditation for the 12 MW MSW project under RPPO Regulation.

Sri. M. K. Viswanatha Naidu Advocate for Sri. Challa Gunaranjan counsel for the petitioner and Sri. J. Aswini Kumar Advocate for Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner stated that the petitioner has to take steps to amend the cause title and needs to file the necessary petition, therefore, he seeks time to file the same. The counsel for the respondent has no objection

The Commission adjourned the hearing granting time for filing the necessary application. Adjourned.

Sd/-
Member

Sd/-
Member

Call on 04.08.2015
At 11:00 AM
Sd/-
Chairman

O. P. No. 11 of 2015

M/s SLT Power & Infrastructure Projects Pvt.Ltd. Vs Govt.of Telangana,
TSTRANSCO, TSSPDCL & NREDCAP

Petition seeking directions to apply the tariff determined on 22.06.2013 in respect of the industrial waste project of 3.5 MW of the petitioner in terms of order of Hon'ble ATE dated 20.12.2012.

Sri. M. V. Pratap Kumar counsel for the petitioner along with Sri. G Vijay Bhaskar Reddy representative of the petitioner and Sri. J. Aswini Kumar Advocate for Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner stated that the petitioner has already filed the necessary information. He pleaded for some interim order based on which he could revive the generation unit. The

respondents sought time for filing the written submissions and stated that the commission is required to decide the tariff as per order of Hon'ble ATE.

The Commission desired that the respondent should come out with the necessary data based on the information filed by the petitioner by 4th August 2015 with a copy of the same to the petitioner. The petitioner should respond to the submission by 07.08.2015.

The Commission adjourned the hearing, but made it clear that parties should be ready with all the facts to submit arguments including the filing as directed. Adjourned.

		Call on 11.08.2015
		At 11:00 AM
Sd/- Member	Sd/- Member	Sd/- Chairman

O. P. No. 13 of 2015

M/s Global Energy Pvt. Ltd. Vs Nil & M/s Ushdev Engitech Ltd.(Implead petition)

Petition seeking intra state trading license for the State of Telangana
Petition to implead the petition in IA as Respondents in OP Nos. 13 of 2015

Sri. P Vikram counsel for the petitioner and Sri. J. Aswini Kumar Advocate for Sri. B. Tagore counsel for the respondent are present. The counsel for the petitioner stated that the petitioner has sought intra state trading license and the respondents has no locus in the matter. It has filed a counter affidavit to the implead petition which the counsel for the implead petitioner has confirmed about its receipt. However the counsel for the implead petitioner sought time to file a reply in the matter and sought adjournment.

The Commission adjourned the hearing at the request of the parties.

		Call on 04.08.2015
		At 11:00 AM
Sd/- Member	Sd/- Member	Sd/- Chairman

O. P. No. 59 of 2015

And

I. A. No. 20 of 2015

M/s KSK Mahanadi Power Company Ltd. Vs DISCOMS

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute relating to claim of respondents towards liquidated damages of Rs. 23.60 crs under Article 4.8 of the power purchase agreement (PPA) dt.31.07.2012 entered between the parties.

Sri. Gurukumar Hebbar Regulatory Incharge being representative for the petitioner and Sri. J. Aswini Kumar Advocate for Sri. Y Rama Rao counsel for the respondent are present. The representative of the petitioner stated that the power is shared individually and the ratios are already defined in the agreement itself. The PPA itself provided for individual invoices to be raised and payment of the amounts is being done independently only.

The counsel respondent reiterated that the PPA is a combined PPA and therefore involves issues of jurisdiction. Moreover, the petitioner has filed an application for amendment of the title for which the respondents have to respond.

The Commission desired that the petitioner should file detailed evidence to show that it is being paid by individual DISCOM upon whom bill is being raised. Likewise the DISCOM should be ready to submit the factual position. In the circumstances matter is adjourned

Sd/-
Member

Sd/-
Member

Call on 11.08.2015
At 11:00 AM
Sd/-
Chairman

O. P. No. 60 of 2015

DISCOMS & APPCC Vs M/s KSK Mahanadi Power Company Ltd. & 4 others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for directions on illegal claim of Rs. 66.31 crs towards the transmission charges for the period 16th June, 2013 to 13th August, 2013 and capacity charges for the the period 16th June, 2013 to 26th July, 2013 by illegal invoking letter of credit by M/s KSK Mahanadi Power Company Ltd., for the period without supplying power to the petitioners.

Sri. J. Aswini Kumar Advocate for Sri. Y Rama Rao counsel for the petitioner and Sri. Gurukumar Hebbar Regulatory Incharge being the representative for the respondent are present. The representative of the respondent stated that the power is shared individually and the ratios are already defined in the agreement itself. The PPA itself provided for individual invoices to be raised and payment of the amounts is being done independently only. He also stated that the petitioners have to take necessary steps to amend the petition.

The counsel petitioner reiterated that the PPA is a combined PPA and therefore involves issues of jurisdiction.

The Commission desired that the respondent should file detailed evidence to show that it is being paid by individual DISCOM upon whom bill is being raised. Likewise the DISCOMs should be ready to submit the factual position. In the circumstances matter is adjourned

Sd/-
Member

Sd/-
Member

Call on 11.08.2015
At 11:00 AM
Sd/-
Chairman

O. P. No. 68 of 2015
And
I.A.No. 19 of 2015

M/s KSK Mahanadi Power Company Ltd. Vs DISCOMS

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of disputes arising under the power purchase agreement dt.31.07.2012 between the parties

Sri. Gurukumar Hebbar Regulatory Incharge for the petitioner and Sri. J. Aswini Kumar Advocate for Sri. Y Rama Rao counsel for the respondent are present. The representative of the petitioner stated that the power is shared individually and the ratios are already defined in the agreement itself. The PPA itself provided for individual invoices to be raised and payment of the amounts is being done independently only.

The counsel respondent reiterated that the PPA is a combined PPA and therefore involves issues of jurisdiction. Moreover, the petitioner has filed an application for amendment of the title for which the respondents have to respond.

The Commission desired that the petitioner should file detailed evidence to show that it is being paid by individual DISCOM upon whom bill is being raised. Likewise the DISCOM should be ready to submit the factual position. In the circumstances matter is adjourned

Sd/-
Member

Sd/-
Member

Call on 11.08.2015
At 11:00 AM
Sd/-
Chairman

O. P. No. 74 of 2015
And
I.A.No. 24 of 2015

M/s Hetero Wind Power Ltd. Vs TSTRANSCO, APTRANSCO & TSSPDCL
Petition seeking execution of tariff order dt. 09.05.2014 with regard to exemption of
transmission and wheeling charges for the petitioner's wind project.

Sri. V. Prasada Rao counsel for the petitioner and Sri. J. Aswini Kumar Advocate for
Sri. Y Rama Rao counsel for the respondent are present. The counsel for the
petitioner stated that the petitioner has already filed a petition for amendment of the
cause title and notice has already been sent to the parties duly taking said petition
on file of the Commission. The counsel for the respondent stated they are yet to
receive the notice. The respondents will respond to the petition by obtaining a copy
of the petition from the office by the next date of hearing.

The Commission adjourned the hearing at the request of the parties and directed the
respondents to file their response by the next date of hearing.

Sd/-
Member

Sd/-
Member

Call on 04.08.2015
At 11:00 AM
Sd/-
Chairman