

Record of proceedings dated 05.07.2016

I. A. No. 2 of 2016

IN

O. P. No. 10 of 2015

M/s. Sundew Properties Limited Vs TSSPDCL

Petition seeking clarification of the order dated 15.02.2016 in O. P. No. 10 of 2015 under section 94 (2) of the Electricity Act, 2003.

Sri. P. Sri Ram Counsel for the petitioner and Sri. Y. Rama Rao, Counsel for the respondents along with Smt. Priya Iyengar Advocate are present. The counsel for the petitioner sought to submit that the petition is filed for modification of the order passed by the Commission in respect of infusing the capital in the petitioner company as directed by the Commission, but on a different mode. He stated that the petition is filed under section 94 of the Electricity Act, 2003 and more particularly invoking Clauses (f) & (g). To a pertinent question by the Commission, as to which provision is being invoked by the petitioner and what is sought in the petition, the Counsel for the petitioner confirmed that the petitioner is not seeking review or amendment of the order passed by the Commission, but limiting the prayer to clarification under section 94 of the Act. However, he is at pains to explain under which authority the Commission could modify or amend the order passed earlier by it.

The Counsel for the petitioner squarely limited his prayer to extension of time for compliance of the order of the Commission in respect of equity infusion and continuation of power supply by the existing licensee till the time extended by the Commission for equity infusion.

The Commission considering that the prayer in the present I. A. is limited extension of time, has agreed to extend the time up to 30.09.2016 with specific understanding and condition that there will be no further extension in the matter for

any reason in respect of the extension of time by the Commission for equity infusion. The Commission directed the existing licensee to continue the supply till 30.09.2016 and also directed it to put the same in writing as per the direction of the Commission and communicate it to the petitioner. The Commission will pass appropriate orders on this I. A.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 13 of 2016

M/s Sundew Properties Limited Vs TSSPDCL

Filed a petition questioning the action of the existing area distribution licensee (respondent) in seeking to disconnect the power supply.

Sri. P. Sri Ram Counsel for the petitioner and Sri. Y. Rama Rao, Counsel for the respondents along with Smt. Priya Iyengar Advocate are present. The counsel for the petitioner stated that the petitioner intends to withdraw the petition, accordingly, the petition may be dismissed as withdrawn. The counsel for the respondent has no objection, as the relief has already been granted by the Commission vide letter dated 26.03.2016.

Accordingly, the petition is dismissed as withdrawn.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 14 of 2016

M/s. Ushakiron Movies vs TSSPDCL

Filed an application seeking extension of the renewal of the exemption from having distribution license as granted in by Order dated 18.05.2012 by erstwhile APERC.

Sri. K. Gopal Choudary, Advocate appearing for Sri Dhulipala V.A.S. Ravi Prasad, Counsel for the petitioner and Sri. Y. Rama Rao, Counsel for the respondent along with Smt. Priya Iyengar Advocate are present. The counsel for the petitioner made elaborate arguments in respect of the petition and options available to the petitioner, which can be directed by the Commission. The Counsel for the respondent stated that

he needs time to take instructions and argue the matter in view of the submissions made by the counsel for the petitioner.

The Commission pointed out that the option suggested in respect of providing franchise to the petitioner by the existing licensee requires examination by the TSSPDCL. Therefore, TSSPDCL shall examine the possibilities and submit the admissibility or otherwise in the matter. The licensee shall submit its arguments on the next date of hearing. Adjourned.

Call on 05.08.2016
At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman