



**TELANGANA STATE ELECTRICITY REGULATORY COMMISSION**  
**5<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad-500 004**

I. A. No. 5 of 2016  
in  
O. P. No. 60 of 2015

Dated: 14.06.2016

**Present**

Sri Ismail Ali Khan, Chairman  
Sri H. Srinivasulu, Member  
Sri L. Manohar Reddy, Member

Between

1. M/s. Southern Power Distribution Company of  
Telangana Limited, 6-1-50. Mint Compound, Hyderabad,  
(Formerly known as APCPDCL).

M/s Northern Power Distribution Company of Telangana Limited,  
2-5-3/2, Vidyut Bhavan, Nakkalagutta, Hanmakonda, Warangal.  
(Formerly known as APNPDCL)

... Petitioners.

And

M/s KSK Mahanadi Power Company Limited,  
8-2-293/82/A/431/A, Road No.22, Jubilee Hills, Hyderabad.

... Respondent.

This petition coming up for hearing on 14.06.2016. Sri A. Srikanth, DGM Business Development representing the respondent and Sri. Y. Rama Rao, Standing Counsel for the petitioners along with Smt. Priya Iyengar appeared for the parties. The petition having stood for consideration to this day, the Commission passed the following:

**ORDER**

The original petition has been listed for hearing today. In the course of arguments, the counsel for the respondent sought oral interim orders to protect the interest of the licensees in respect of encashment of financial instruments given as

security to the developer (that is the respondent) by the petitioners. Upon which the petitioners have been directed to file a proper petition for enabling the commission to pass a suitable order.

2. The petitioners filed a petition stating the necessary facts and events by seeking the following prayer.

“Direct the respondent to extend the validity of the existing CPGs pertaining to TSSPDCL and TSNPDCL till the finalization of the O.P.No.60 of 2015”

3. We had heard the representative of the respondent and counsel for the petitioners. The representative of the respondent sought adjournment of the petitions filed either by the respondent or the petitioners in this case after 18.06.2016 in view of the non availability their counsel. During the course of hearing the counsel for the petitioners has stated and submitted the arguments as follows.

“The counsel for the petitioners requested the Commission to pass an ad-interim order in view of seeking of adjournment by the respondent in respect of restraining the respondent from invoking any of the financial instruments or provisions of the PPA as the term of PPA is coming to end on 15.06.2016. In this regard he has readout various provisions of the PPA as required by the Commission. He has pointed out that the Commission has power under section 94(2) of the Electricity Act, 2003 and Section 151 of the Code of Civil Procedure 1908. This plea is made orally without any petition. The counsel offered the reason that they have noticed the difficulty only today. To a pointed question by the Commission about the liability of the DISCOMs, it was replied that the figure would be Rs.120 Crores relating to four DISCOMs. On further clarification it is stated that the TSDISCOMs face a liability of Rs.75 Crores only.”

4. In continuation of the hearing, the present petition is filed before this Commission for enabling it to pass interim orders as directed by us at the time of hearing. For the reasons explained, the Commission is of the view that necessary interim orders as sought by the petitioners are required to be passed immediately.

5. The Commission, therefore, directs the parties to maintain status qua “as is existing” and that they will not resort to invoking any financial instruments or articles

of the PPA till the Commission hears and disposes of the I.A. The Office is directed to post this I. A. along with main case on 22.06.2016 at 3.00 P.M.

This order is corrected and signed on this the 14<sup>th</sup> day of June, 2016.

**Sd/-**  
**(L. MANOHAR REDDY)**  
**MEMBER**

**Sd/-**  
**(H. SRINIVASULU)**  
**MEMBER**

**Sd/-**  
**(ISMAIL ALI KHAN)**  
**CHAIRMAN**