



TELANGANA STATE ELECTRICITY REGULATORY COMMISSION
5th Floor, Singareni Bhavan, Red Hills, Hyderabad-500 004

O. P. No. 50 of 2015

&

I. A. No. 20 of 2017

Dated 29.06.2017

Present

Sri. Ismail Ali Khan, Chairman

Sri. H. Srinivasulu, Member

Between:

M/s. IL & FS Wind Farms Limited,
The IL & FS Financial Centre,
Plot C – 22, 'G' Block, Bandra-Kurla Complex,
Bandra (East), Mumbai – 400 051.

... Petitioner

And

1. M/s. Central Power Distribution Company of
Andhra Pradesh Limited, 6-1-50, Mint Compound,
Hyderabad – 500 063.
2. M/s. Transmission Corporation of Andhra Pradesh Limited,
Vidyut Soudha, Khairatabad, Hyderabad – 500 082.
3. Andhra Pradesh Co-Ordination Committee,
Vidyut Soudha, Khairatabad, Hyderabad – 500 082.
4. New & Renewable Energy Development Corporation of
Andhra Pradesh, # 5-8-207/2, Pigah Complex,
Nampally, Hyderabad – 500 001.

... Respondents
(as per original petition)

1. M/s. Southern Power Distribution Company of
Telangana Limited, 6-1-50, Mint Compound,
Hyderabad – 500 063.
2. M/s. Transmission Corporation of Telangana Limited,
Vidyut Soudha, Khairatabad, Hyderabad – 500 082.
3. Telangana Power Coordination Committee,
Vidyut Soudha, Khairatabad, Hyderabad – 500 082.
4. Telangana New & Renewable Energy Development
Corporation Limited, # 5-8-207/2, Pigah Complex,
Nampally, Hyderabad – 500 001. ... Respondents
(Proposed amendment to original respondents I. A. No. 20 of 2017)

This petition came up for hearing on 04.02.2015, 20.04.2015, 25.06.2015, 15.07.2015 and 07.06.2017. There is no representation on behalf of the petitioner on 07.06.2017. Sri. Y. Rama Rao, Counsel for the respondents along with Sri. B. Vijay Bhaskar, Advocate is present. The petition alongwith interlocutory application having stood for consideration to this day, the Commission passed the following:

ORDER

The petitioner had originally filed petition before the erstwhile Andhra Pradesh Electricity Regulatory Commission under section 142, 143 and 129 of the Electricity Act, 2003 in O. P. (SR) No. 38 of 2012. The prayer in the original petition is as follows:

- “(i) To direct respondent to comply with the tariff orders passed by this APERC vide order dated 31.03.2009 and pay at the rate of Rs. 3.37 / KWH for the electricity supplied by the petitioner including from July, 2011 till date and in the future till any revised tariff is fixed by this Commission.
- (ii) Pay interest at the rate of 21% per annum on the outstanding amount / amount short paid from July, 2011 till the actual date of payment.
- (iii) To punish and penalize the respondent and their personnel who are in charge for handling the matter under section 142 of Electricity Act for non-compliance of the orders passed by this APERC dated 31.03.2009 and pass any other and further orders / directions as this Commission may deem appropriate in the facts and circumstances of the case.

- (iv) To award compensation of an amount of Rs. 1,00,000 (Rs One Lakh only) to the petitioner for the losses suffered including opportunity costs due to the non-compliance of the orders of the APERC by respondent No. 1.
- (v) To initiate steps under section 146 of Electricity Act for contravention of the Commission's order.
- (vi) Any other reliefs the Commission may deem fit and reasonable.
- (vii) In the interim it is therefore prayed that this Commission may be pleased to direct the respondent No. 1 to pay at the rate of Rs. 3.37 / KWH for the energy supplied by the petitioner in accordance with the tariff order dated 31.03.2009 pending disposal of the above O. P. and pass any other and further orders / directions as this Commission may deem appropriate in the facts and circumstances of the case.

2. It also filed an application for amendment of the parties to the case while the respondents had filed reply to the main petition itself earlier. The prayer in the interlocutory application is as follows.

“In the light of the circumstances, it is therefore prayed that this Commission may be pleased to substitute the cause title in respect of the description of respondents with the following.

1. Southern Power Distribution Company of Telangana Limited, 6-1-50, Mint Compound, Hyderabad – 500 063.
2. Transmission Corporation of Telangana Limited, Vidyut Soudha, Khairatabad, Hyderabad – 500 082.
3. Telangana Power Coordination Committee, Vidyut Soudha, Khairatabad, Hyderabad – 500 082.
4. Telangana New & Renewable Energy Development Corporation Limited, Office: 5-8-207/2, Pigah Complex, Nampally, Hyderabad – 500 001. “

3. The petition has been listed for hearing on several occasions in the year 2015 and lastly on 07.06.2017. There is no representation on behalf of the petitioner.

4. Since there is no representation for the petitioner. Sri. Y. Rama Rao, Standing Counsel for the respondents alongwith Sri. B. Vijay Bhaskar, Advocate is present. Since it is represented that the matter involves jurisdiction and the petitioner is not

present the same is dismissed for non-prosecution. Consequently, the interlocutory application is also dismissed. There will be no order as to costs.

This order is corrected and signed on this the 29th day of June, 2017.

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

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

//CERTIFIED COPY/