



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

O. P. No.23 of 2021

Dated 09.11.2021

Present

Sri T. Sriranga Rao, Chairman
Sri M. D. Manohar Raju, Member (Technical)
Sri Bandaru Krishnaiah, Member (Finance)

Between

M/s Prashanth Narayan G (PNG),
Regd. Office # Old No.33 (New No.100),
Sannidhi Road, Basavanagudi,
Bangalore, Karnataka – 560 004.

... Petitioner.

AND

1. Transmission Corporation of Telangana Limited,
SLDC, Vidyut Soudha, Khairatabad,
Hyderabad – 500 082.
2. Transmission Corporation of Telangana Limited,
TSTRANSCO, Vidyut Soudha, Khairatabad,
Hyderabad – 500 082.
3. Southern Power Distribution Company of Telangana Limited,
6-1-50, Mint Compound,
Hyderabad – 500 063.

... Respondents.

The petition came up for hearing through video conference on 25.08.2021, 23.09.2021, 27.09.2021, 28.10.2021. Sri Challa Gunaranjan, Advocate for petitioner appeared on 25.08.2021, 27.09.2021 and 28.10.2021. Sri Deepak Chowdary, Advocate representing Sri Challa Gunaranjan, Advocate for petitioner appeared on 23.09.2021. Sri Y. Rama Rao, Advocate for respondents No.1 and 2 appeared on 27.09.2021 and 28.10.2021. Sri Mohammad Bande Ali, Law Attaché for respondent No.3 appeared on 25.08.2021, 23.09.2021, 27.09.2021 and 28.10.2021. The matter

having been heard and having stood over for consideration to this day, the Commission passed the following:

ORDER

The petitioner has filed the petition under sections 86(1)(c)&(e) and 42 of the Electricity Act, 2003 (Act, 2003) read with Terms and Conditions of Open Access, Regulation, 2005 as adopted vide Regulation No.1 of 2014 and Regulation No.2 of 2015 seeking the following reliefs -

“Direct the Respondents 1 & 2 to grant Long Term Open Access approval to the petitioner in pursuance to the application dated 31.01.2019 for a period of 2 years, as per Regulation 2 of 2005, and consequently direct the 3rd respondent to enter LTOA agreement enabling petitioner to supply power to its third party consumers.”

2. The Respondents No.1 & No.2 and Respondent No.3 have filed their respective counter affidavits opposing the petition and also prayed the Commission to dismiss the petition.

3. The matter was taken up for hearing and it was heard on three occasions, whose proceedings are extracted below.

Record of proceedings dated 25.08.2021:

“... .. The counsel for the petitioner stated that the matter is coming up for the first time and it involves grant of open access on long term basis. A counter affidavit is to be filed by the respondents. The representative of the respondents sought time of two weeks for filing counter affidavit. The counter affidavit shall be filed on or before the date of hearing with advance copy served on the counsel for petitioner, who shall file rejoinder, if any by the date of hearing with a copy served on the respondents... ..”

Record of proceedings dated 23.09.2021:

“... .. The advocate representing the counsel for the petitioner stated that the counsel is unable to attend the hearing due to preoccupation in the Hon'ble High Court and therefore, the case may be adjourned to a shorter date. The advocate also stated that there are certain developments and thus, there is an urgency in the matter. The representative of the respondents has no objection.”

Record of proceedings dated 27.09.2021:

“... .. The counsel for the petitioner stated that the petition is filed allowing LTOA and an application for the said purpose was made to the concerned officer in the year 2019, but till date no response has been given in the matter. The petitioner intends to undertake third party sale. Earlier, the petitioner had sought for STOA and it was allowed intermittent spells till the year 2017. It is now stated that there is no technical feasibility. The competent authority is bound to decide the application on LTOA within the time specified, but the same had not been complied with as per the regulation.

The counsel for the petitioner stated that however, subsequent to the filing of the present petition, there are certain developments including the signing of an agreement by the parties. Therefore, the matter may be adjourned for short date. The representative of the respondent No. 3 stated that the statement made by the counsel for petitioner is in the process and he will be able to report by the next date of hearing. The counsel for respondent Nos. 1 and 2 agreed with the submissions of the representative for respondent No. 3. Accordingly, the matter is adjourned so as to enable the parties to confirm the status of the matter.”

Record of proceedings dated 28.10.2021:

“... .. The counsel for the petitioner stated that the petitioner and the respondents have signed the LTOA on 23.09.2021. As such, no further relief survives in the matter and accordingly, the matter may be closed. Accordingly, the matter is closed.”

4. Subsequent to the date of hearing, the counsel for petitioner has filed a memo and stated as below.

1. It is submitted that in the above said petition is filed u/s 86 (1) (c) & 86 (1) (e) read with Section 42 of the Electricity Act, 2003 in relation to non-granting of Long Term Open Access for supply of power from Petitioner's Solar Power Project to its OA consumer/s in terms of Regulation 2 of 2005 as adopted vide Regulation 1 of 2014 and Regulation 2 of 2015.

2. It is respectfully submitted that, pursuant to the filing of the present O.P., the 3rd Respondent has entered into a LTOA agreement with the

*petitioner on 23.09.2021 and in lieu of the same, the 2nd Respondent vide Lr. No. CGM (IPC) / SE (IPC) / F.PNG / D. No. 788 / 21, dated 28.09.2021 has directed the petitioner to provide for the transmission schedule at the entry point as per Reg.2 of 2005 and its amendments therein.
Hence, the present memo.”*

5. In view of the submissions on the last date of hearing and the memo filed by the counsel for petitioner indicating the resolution of the issue in the matter, the petition is closed. No costs.

This order is corrected and signed on this the 09th day of November, 2021.

Sd/-	Sd/-	Sd/-
(BANDARU KRISHNAIAH)	(M. D. MANOHAR RAJU)	(T. SRIRANGA RAO)
MEMBER	MEMBER	CHAIRMAN

