



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

**R. P. (SR) No. 92 of 2021**

**in**

**O. P. No. 8 of 2016**

**Dated 15.11.2022**

**Present**

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

Between:

1. Southern Power Distribution Company of Telangana Limited,  
# 6-1-50, Corporate Office. Mint Compound, Hyderabad 500 063.
2. Northern Power Distribution Company of Telangana Limited,  
# 2-5-31/2, Corporate Office, Vidyut Bhavan,  
Nakkalagutta, Hanamkonda, Warangal 506 001. ... Review Petitioners

**AND**

M/s Singareni Collieries Company Limited,  
Kothagudem Collieries,  
Bhadradri Kothagudem District. ... Respondent

This review petition came up for hearing on 22.08.2022 and 01.09.2022. Sri Mohammad Bande Ali, Law Attaché for review petitioners has appeared on 22.08.2022 and 01.09.2022. The matter having been heard and having stood over for consideration to this day, the Commission passed the following:

**ORDER**

The TSDISCOMs (Petitioners) have filed a review petition on 10.12.2021 under Section 94(1)(f) of the Electricity Act, 2003 (Act, 2003) seeking review of the Commission order dated 22.10.2021 passed in O.P.No.8 of 2016 regarding consent accorded to the Power Purchase Agreement (PPA) entered into between TSDISCOMs

and Singareni Collieries Company Limited (SCCL) for procurement of power from 2x600 MW Singareni Thermal Power Project (STPP) situated at Pegadapall village, Jaipur Mandal in Adilabad District.

2. The averments in the review petition are as below:

a. It is stated that the Commission vide order dated 22.10.2021 in O.P.No.8 of 2016 accorded consent to the PPA entered between TSDISCOMs and SCCL subject to modifications required to be done and directed TSDISCOMs to submit the PPA duly incorporating the modifications suggested for record of the Commission.

b. It is stated that the petitioners herein are filing this petition for review of the said order on certain Clauses of the PPA, which are as follows:

*i. **Clause 4.2: Debt Equity Ratio:***

*The debt-equity ratio as on the date of commercial operation as to be taken as 70:30 for determination of Tariff irrespective of actual quantum of debt and equity.*

The Commission vide order dated 22.10.2021 directed to delete the above clause. Whereas in other State Generator PPAs, it has been modified "as per TSERC Regulation".

*ii. **Article 6 Billing and Payment:***

*Clause 6.1.2:*

*SCCL shall present the bills supplied to TSSPDCL and TSNPDCL for the project for the previous month based on the Energy Account issued by Telangana State Load Despatch Centre or any other Competent Authority as per TSERC Regulations applicable from time to time.*

*Clause 6.1.9: Monthly bill:*

*On or before each billing date, SCCL shall submit to TSSPDCL and TSNPDCL a monthly bill based on (a) meter reading (taken pursuant to Article 7) that has either been signed by both parties or certified by SCCL with respect to TSSPDCL and TSNPDCL's refusal to sign within five days of metering date and (b) the Tariff, which will set out monthly fixed charges and the monthly variable charges with respect to the Project covered under this agreement.*

It is stated that as per the Commission Regulations, the Energy Charges are payable for Scheduled Energy, i.e., Scheduled Energy as certified by TSSLDC. Hence, the Clauses in the PPA pertaining to meter reading for Energy accounting viz., Clause 1.31 Energy Certification Committee (ECC), Clause 1.47 Net Electrical Energy, Clause 7.11 in Article 7 Metering are to be deleted.

3. The petitioners sought the following relief in the review petition.

- i. that the said review petition may be taken on record and admitted.
- ii. to review the order dated 22.10.2021 passed by the Commission in O.P.No.8 of 2016 on Clause 4.2: Debt-Equity Ratio and may be modified as per the Commission Regulation No.1 of 2019.
- iii. that the Clauses pertaining to meter reading for Energy accounting i.e., 1.31 Energy Certification Committee (ECC), 1.47 Net Electrical Energy, 6.1.9 Monthly Bill in Article 6 Billing and Payment and Clause 7.11 in Article 7 Metering Clauses in the PPA may be deleted.

4. Subsequently, the review petitioners have filed Memo on 27.08.2022 for withdrawal of the Review Petition. The contents of the memo are extracted below:

- a. It is stated that they proposed to seek uniformity in the PPA provisions format in line with TSGENCO PPAs, therefore they filed the review petition before the Commission.
- b. It is stated that however, as advised by their legal department, the amendments proposed in the review petition are not fulfilling the criteria stipulated under XLVII Rule 1 of Code of Civil Procedure, 1908 (CPC), for seeking review of the Order as such they proposed to withdraw the review petition.

5. The Commission has heard the review petitioners and the submissions are extracted hereunder for ready reference:

Record of Proceedings dated 22.08.2022:

*... .. The representative of the review petition stated that the review petition is filed, but whether to pursue the review petition or not is not instructed. He sought time for instruction in the matter including possible withdrawal of the review petition. ... ..*

Record of Proceedings dated 01.09.2022:

*... .. The representative of the review petition stated that the review petition is filed for reviewing the order dated 22.10.2021 in O.P.No.8 of 2016. However, the review petitioners are not inclined to pursue the same and a memo to that effect has been filed with the office. Accordingly, the Commission may consider dismissing the review petition as withdrawn. The submission of the representative is accepted and the review petition stands dismissed as withdrawn.*

6. In view of the submission of the representative for review petitioners and the memo filed thereof for withdrawing the review petition, nothing survives in the matter for adjudication.

7. Accordingly, the review petitioners are permitted to withdraw the review petition and the review petition is dismissed as withdrawn, but in the circumstances without costs.

**This order is corrected and signed on this the 15<sup>th</sup> day of November, 2022.**

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



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