



TELANGANA ELECTRICITY REGULATORY COMMISSION
'Vidyut Niyamtran Bhavan', G.T.S. Colony, Kalyan Nagar, Hyderabad 500 045

I. A. No. 28 of 2025
in
O. P. No. 16 and 17 of 2024

Dated 02.05.2025

Present

Dr. Justice Devaraju Nagarjun, Chairman

Between

1. Southern Power Distribution Company of Telangana Ltd.,
6-1-50, Mint Compound, Hyderabad, Telangana – 500063.
2. Northern Power Distribution Company of Telangana Ltd.,
H. No. 2-5-31 / 2, Corporate Office, Vidyut Bhavan,
Nakkalgutta, Warangal – 506001 Applicant / Petitioners

AND

-Nil- Respondent

This interlocutory application has come up for hearing on 08.04.2025. Sri. K. Saibaba working as Chief Engineer with the petitioner organisation appeared before the Commission. The petition having stood over for consideration to this day, the Commission passed the following:

ORDER

TGSPDCL on behalf of M/s Southern Power Distribution Company of Telangana Limited (TGSPDCL) and M/s Northern Power Distribution Company of Telangana (TGSPDCL) (TGDISCOMs) (petitioner) being the distribution licensees of the state of Telangana, has filed an interlocutory application seeking extension of time for filing of true-up of FY 2022-23 and 2023-24 in respect of power purchase pertaining to retail supply business along with condonation of delay application by abridging period the period of requirement of filing 120 days prior to issue tariff order

under multi-year tariff framework in accordance with clause No. 6.2 of the Regulation No. 2 of 2023 being Multi Year tariff Regulation, 2023.

2. The contents of the application in brief are as under:

a) As per erstwhile APERC first amendment Regulation No. 1 of 2014 and new Multi Year Tariff Regulation 2023 being Regulation No. 2 of 2023, the petitioner has to file the power purchase true-up of FY 2022-23 and FY 2023-24 respectively pertaining to retail supply business for approval by the Commission before 30.11.2023 and 30.11.2024..

b) If that they could not file the power purchase true- ups of FY 2022-23 and FY 2023-24 pertaining to retail supply business with reasons as specified below in addition to the reasons mentioned in the filings made by the petitioner on revised ARR of retail supply business for FY 2025-26 in O. P. No. 21 / 2025 and I. A. No. 04 / 2025 pertaining TGSPDCL and O. P. No. 22 / 2025 and I. A. No. 05 / 2025 pertaining to TGNPDCL.

i) The applicants have requested the state government of Telangana for approval of filing of power purchase true-ups of FY 2022- 23 and FY 2023-24 pertaining to retail supply business, the formal approval from GoTG is awaited.

ii) The applicants stated that enforcement of model code of conduct regarding biennial election to the Telangana Legislative Council graduates and teachers constituencies 2025.

iii) The applicants stated that they are engaged in making the power supply arrangements to meet the unprecedented demand in the state of Telangana to ensure uninterrupted power supply to all the consumers.

3. The applicants have sought the following prayer through the application.

“It is therefore prayed that Commission may be pleased to grant the time to the applicants for filing of petition of power purchase true-ups of 2022-23 and FY 2023-24 pertaining to retail supply business alongwith condonation of delay application within due course of time.”

4. The point to be considered is whether the direction as sought by the petitioner can be granted or not

5. Heard learned Chairman & Managing Director (CMD) of TGSPDCL on behalf of the TGDISCOMs so also the stake holders in respect of the application filed by the TGDISCOMs seeking to extend the time for filing of the true-up petition for the financial year FY 2022 – FY 2023 and FY 2023 – FY 2024 pertaining to Retail Supply Business.

6. It is submitted by learned CMD that they were unable to file the true-up petitions as mentioned above on or before 30.11.2023 and 30.11.2024 as formal approval from the Government of Telangana is awaited and that the Model Code of Conduct was enforced by Election Commission of India on account of elections to the Telangana Legislative Council Graduates and Teachers constituencies, 2025 and also submitted further that the TGDISCOMs are fully geared up and engaged in making power supply arrangements to meet unprecedented demand of the power in the state.

7. The stake holders on the other hand have submitted that the excuses for not filing the true-up petitions are not justified and every year the TGDISCOMs are seeking approval of the government for filing of this true-ups thereby the delay is being occurred which is reflecting in taking decision by this Commission in deciding the retail tariff of this financial year, therefore sought for directions to the TGDISCOMs for strict compliance.

8. As per clauses 10.5, 10.6 & 10.7 of Regulation No. 4 of 2005 read with Regulation No. 1 of 2014 and Regulation No. 1 of 2023 the petitioners/TGDISCOMs were mandated to file the true-up petition for financial year FY 2022 – FY 2023 pertaining to the Retail Supply Business on or before 30.11.2023.

9. Similarly, in respect of retail supply business for the financial year FY 2023 – FY 2024, the true-up petition was expected to be filed on 30.11.2024 as per clause 12.5.6 (c) of MYT regulation 2 of 2023. However, in respect of these two petitions the TGDISCOMS have not filed the applications as per the deadline fixed in the regulations and sought for extension of tariff on the grounds as mentioned above.

10. In respect of the grounds submitted by the TGDISCOMs for the delay in filing of true-up petition, this Commission is of the opinion that the TGDISCOMs were

helpless as Election Commission of India has imposed Model Code of Conduct on account of the elections conducted for Telangana Legislative Council Graduates and Teachers constituencies, 2025. However, the said embargo does not exist anymore since the elections have already been completed, results were declared and Code of Conduct has also been lifted by the Election Commission.

11. The other ground raised by the petitioner is that they could not get clearance of the Government of Telangana. In so far as this ground is concerned, this Commission has been mentioning in the previous orders also that the TGDISCOMS must ensure whatever clearances they are required to get administratively from the government before the deadline fixed by the Commission under the regulations. They must have taken steps to get clearances from the government much prior to date of filing of the true-up petitions.

12. The final ground which has been canvassed by the petitioner is that the DISCOMs are busy in ensuring that there is no interruption in supply of power during this summer season. All the officers concerned are stated to be engaged fully in making the arrangements for providing uninterrupted power supply to the consumers. As rightly submitted this summer season, there is unprecedented demand for supply for electricity, and same is demonstrated by the learned CMD with statistics during the course of submissions.

13. Therefore, keeping in view of the exigencies as submitted by the petitioner this Commission extends the time for filing the true-up petitions.

14. Accordingly, this petition is allowed and petitioners/TGDISCOMs are directed to file the true-up petitions for FY 2022 – FY 2023 and FY 2023 – FY 2024 within two months from the date of this order.

This order is corrected and signed on this the 2nd day of May, 2025.

Sd/-

**(Dr. JUSTICE DEVARAJU NAGARJUN)
CHAIRMAN**

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