

Record of proceedings dated 20.12.2021

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 20 of 2016 & I. A. No. 13 of 2016	M/s. Sugna Metals Limited	DE (Operation) TSSPDCL & its officers

Petition filed questioning the action of DISCOM in not implementing the order of the CGRF and to punish the licensee u/s 142 of the Act, 2003.

I. A. filed seeking interim orders not to disconnect the power supply pending disposal of the original petition.

Sri N. Vinesh Raj, advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that the petitioner is inclined to submit arguments in the matter only upon withdrawing the writ petition for which purpose the matter may be adjourned. The Commission made it clear that the matter being an old case, it is not inclined to grant any longer time and as such the matter is scheduled for hearing in one week. On the said date the matter has to be argued in any case, as otherwise, the matter will be treated as heard and reserved for orders. The representative of the licensee has stated that the petitioner has taken sufficient time. However, the counsel for petitioner persisted with the request, as such the matter is adjourned finally.

Call on 27.12.2021 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 27 of 2016	M/s. Sugna Metals Limited	DE (O) Vikarabad TSSPDCL & its officers

Petition filed questioning the action of DISCOM in not implementing the order of the CGRF and to punish the licensee u/s 142 of the Act, 2003.

Sri N. Vinesh Raj, advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that the matter is arising out of a different subject but of the same company as in O. P. No. 20 of 2016. The Commission made it clear that the matter being an old case, it is not inclined to grant any longer time and as such the matter is scheduled for hearing in one week. On the said date, the matter has to be argued in any case, as otherwise, the matter will be treated as heard and reserved for orders. The representative of the

licensee has stated that the petitioner has taken sufficient time. However, the counsel for petitioner persisted with the request for the adjournment, as such the matter is adjourned finally.

Call on 27.12.2021 at 11.30 A.M.

Sd/-
Member

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Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 70 of 2018	M/s. Sugna Metals Limited	TSSPDCL & its officers

Petition filed seeking directions to readjust the open access demand and to punish the licensee for not refunding the excess amount collected towards charges.

Sri N. Vinesh Raj, advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that the matter is arising out of a different subject but of the same company as in O. P. No. 20 of 2016. The Commission made it clear that the matter is being an old case, it is not inclined to grant any longer time and as such the matter is scheduled for hearing in one week. On the said date, the matter has to be argued in any case, as otherwise, the matter will be treated as heard and reserved for orders. The representative of the licensee has stated that the petitioner has taken sufficient time. However, the counsel for petitioner persisted with the request for the adjournment, as such the matter is adjourned finally.

Call on 27.12.2021 at 11.30 A.M.

Sd/-
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Member

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 16 of 2017 & I. A. No. 25 of 2017	M/s. Sundew Properties Limited	TSSPDCL & TSTRANSCO

Petition filed seeking transfer of distribution assets falling within the area of SEZ area.

I. A. filed seeking directions to respondent No. 1 to disconnect the consumers pertaining to SPL's licence area and handover the assets to the petitioner and also to the respondent No. 2 to grant transmission connectivity at 33 KV level on two Nos. of 33 KV SPL feeders.

Sri Samikrith Rao, advocate representing M/s. J. Sagar Associates, counsel for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The advocate representing the counsel for the petitioner stated that rejoinder has been filed by the petitioner on 27.10.2021. The representative of the respondents stated that now he is in receipt of the same. The counsel for the petitioner sought weeks' time to make submissions in the matter. Accordingly, the matter is adjourned.

Call on 27.12.2021 at 11.30 AM.

Sd/-
Member

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Member

Sd/-
Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 4 of 2021	M/s. Sundew Properties Limited	— None—

Petition filed seeking determination of tariff for the power procured by it / to be charged to its consumers with TSSPDCL tariff as the ceiling tariff.

Sri Samikrith Rao, advocate representing M/s. J. Sagar Associates, counsel for petitioner is present. The advocate representing the counsel for the petitioner stated that the matter is connected with O. P. No. 16 of 2017 and accordingly, the same may be adjourned. Accordingly, the matter is adjourned.

Call on 27.12.2021 at 11.30 AM.

Sd/-
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Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 24 of 2021	M/s. Prashanth Narayan G (PNG)	TSSPDCL & TSTRANSCO

Petition filed seeking the energy generated fed into the grid for the period before open access as deemed purchase of licensee or pay for the same.

Sri Challa Gunaranjan, counsel for the petitioner along with Sri Deepak Chowdary, Advocate and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that he needs further time to file rejoinder in the matter as he will be filing the same during this week. Accordingly, the matter may be adjourned to any other date. The Commission directs the counsel for petitioner that the rejoinder shall invariably be filed by the next date of hearing duly serving the same to the respondents through email or in physical form. Accordingly, the matter is adjourned.

Call on 03.01.2022 at 11.30 AM.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 37 of 2021	M/s. BVM Energy & Residency Pvt. Ltd.	TSTRANSCO & TSSPDCL & its officers

Petition filed seeking the energy generated fed into the grid for the period before open access as deemed purchase of licensee or pay for the same.

Sri Challa Gunaranjan, counsel for the petitioner along with Sri Deepak Chowdary, Advocate and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that the matter involves synchronization of the project to the grid by extending feasibility accorded by the licensee. The project is not for sale to the DISCOM but it is a captive consumption. The petitioner was originally given two years time while according feasibility in the year 2015. Due to several factors, the same could not be completed and as such, the petitioner sought time of extending the feasibility granted earlier by the licensee. Before granting the feasibility, the licensee took nine months period to accord the same. The same benefit is not extended to the petitioner beyond the period of two years of time granted while according feasibility. The petitioner made a representation before conclusion of the validity of the feasibility, but the respondents did not reply the same. For the past four years, the petitioner is languishing without generating any power.

The counsel for petitioner stated that the Commission had, in fact, accepted the directions of the government under section 108 of the Act, 2003 in respect of extension of SCOD where the licensees have agreements for power supply. This case does not involve the sale of energy to the DISCOM, however, extension granted by the Commission upto 30.06.2017 cannot be refused to the petitioner. The Commission also considered further period upto 31.10.2017 on a case to case basis and allowed the extension of SCOD in several cases. Applying the said principle, the petitioner should have been given the same benefit of extending the feasibility and synchronizing the project.

The counsel for petitioner stated that despite requesting the respondents that the project be synchronized by stating that the project is completed, by duly taking

inspection, no action came forth. It was only in December, 2018 that the officers of the licensee took steps to inspect the project, but even then, no order of synchronization was made. He relied on the order passed by Hon'ble High Court in one of the similar writ petition and an order passed by the Commission. Therefore, the petitioner is before the Commission for extending the feasibility and directing the licensee to synchronize the project.

The representative of the respondents stated that the petitioner had never communicated about the completion of the project. The extension of the feasibility cannot be done beyond the period granted by the licensee. The petitioner had delayed the project and never informed the licensee about completion of the project inspite of the officers of the licensee requesting for the same through email. The orders relied upon by the petitioner is neither relevant nor appropriate. It is the responsibility of the developer to initiate the action from the stage of the procurement of land to the stage of synchronization of the plant. It appears that the petitioner has not chosen to make any efforts in the matter. It is now alleging that the licensee did not extend the time period of feasibility to the project to be synchronised. The petitioner cannot allege that inspection had never been taken place. The same is undertaken in December 2018 and certain further information had been requested to be furnished and the same had not been done. The petitioner made several submissions that it had represented to the respondents but without any basis. In any case, the petitioner is not entitled to any relief.

In view of the submissions made by the parties, the matter is reserved for orders.

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Member

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 47 of 2021 & I. A. No. 20 of 2021	M/s. Mytrah Vayu (Godavari) Private Limited	TSSPDCL, TSTRANSCO & TSPCC

Petition filed seeking payment of amounts towards energy supplied and rebate claimed by the DISCOM in the year 2016.

I. A. filed seeking direction to the respondent No. 1 not to deduct for generation beyond 23% and consequently to make payments in full towards the invoices raised by the petitioner for the energy generated and supplied by the petitioner.

Sri Challa Gunaranjan, Advocate along with Sri Deepak Chowdary, Advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that he needs further time to file rejoinder in the matter. Accordingly, the matter may be adjourned to any other date. The Commission directs the counsel for petitioner that the rejoinder shall invariably be filed by the next date of hearing duly serving the same to the respondents through email or in physical form. Accordingly, the matter is adjourned.

Call on 03.01.2022 at 11.30 A.M.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 54 of 2021	M/s. Dr. Reddy's Laboratories Limited	CE TSTRANSCO & TSSPDCL

Petition filed seeking to punish the respondents for non-compliance of the order of dated 18.02.2021 in O. P. No. 25 of 2020 passed by the Commission.

Sri Challa Gunaranjan, Advocate along with Sri Deepak Chowdary, Advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for petitioner stated that he needs further time to file rejoinder in the matter. Accordingly, the matter may be adjourned to any other date. The Commission directs the counsel for petitioner that the rejoinder shall invariably be filed by the next date of hearing duly serving the same to the respondents through email or in physical form. Accordingly, the matter is adjourned.

Call on 03.01.2022 at 11.30 AM.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. No. 52 of 2021	M/s. Suraj Kiran Solar Technologies Pvt. Limited	TSSPDCL & its officer

Petition filed seeking extension of SCOD and consequently refund of penalty.

Sri P. Pavan Kumar Rao, Advocate along with Sri A. Rama Rao, counsel for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents are present. The counsel for the petitioner stated that the matter is coming up for filing the counter affidavit for the first time. The representative of the respondents stated that

he needs three weeks time for filing counter affidavit. The counter affidavit may be filed by 10.01.2022 by serving the same to the counsel for petitioner through email or in physical form. The counsel for petitioner may filed the rejoinder, if any by the date of hearing by serving the same to the respondent through email or in physical form. Accordingly, the matter is adjourned.

Call on 17.01.2022 at 11.30 AM.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 8 of 2021 & I. A. (SR) No. 9 of 2021	M/s. Sneha Renewable Energies Ltd.	Prl. Secretary to GoTS, Energy Dept., TSSPDCL & TSTRANSCO

Petition filed seeking directions to enter into PPA by fixing tariff at Rs. 5/- per unit.

I. A. filed seeking interim directions to purchase power from the petitioner on payment of average pooled purchase costs till the disposal of the petition.

Ms. P. Lakshmi, advocate for petitioner is present. The counsel for petitioner stated that the matter involves directions to the respondents to enter into PPA and determine the tariff as prayed for. Though the project was established in 2015, it was undertaking third party sale by the petitioner was becoming unviable, as such it has approached the respondents to procure power by entering into PPA at rate of Rs.5/- per unit. However, the respondents refused to procure power from the project, stating that the policy of the Government of India requires procurement through competitive bidding. The refusal was given in September, 2020 by the licensee. She has stated and relied on the provisions mentioned in the tariff policy. She also stated that the project is losing generation as there is availability of water at present, but there is no agreement for supply. She sought to rely on judgments filed on behalf of the petitioner. At this stage, the Commission sought to know as to how it can direct payment of tariff as also entering into an agreement.

The counsel for petitioner sought time to make detailed submission on the query along with the judgments filed by her earlier. Accordingly, the matter is adjourned.

Call on 03.01.2022 at 11.30 A.M.

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Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 57 of 2021 & I. A. No. 58 of 2021	M/s. Halo Energies Private Limited	TSSPDCL & its officers

Petition filed seeking to question the levy of cross subsidy surcharge towards the power drawn by its consumers.

I. A. filed seeking direction to the respondents not to deduct or recover CSS from the bills of its consumers pending disposal of the main petition.

Sri Rohan Singh, Advocate representing M/s. R. S. Associates, counsel for petitioner is present. He stated that the petitioner is taking steps to withdraw the writ petition filed before the Hon'ble High Court on the subject matter and sought adjournment by a week for reporting the same. The Commission made it clear unless the writ petition is withdrawn, this matter cannot be proceed with. The Commission sought to know the time to withdraw the writ petition pending before the Hon'ble High Court. The counsel for petitioner stated that the matter may be scheduled for hearing after two weeks. Accordingly, the matter is adjourned.

Call on 17.01.2022 at 11.30 A.M.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 14 of 2021	TSNPDCL	-None-

Petition filed seeking to undertake approval of aggregate revenue requirement for retail supply business for FYs 2019-20, 2020-21 and 2021-22.

Sri A. Gopal Rao, CMD, TSNPDCL for petitioner is present. Heard the representative of the petitioner. The petition is refused.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 15 of 2021	TSSPDCL	-None-

Petition filed seeking to undertake approval of aggregate revenue requirement for retail supply business for FYs 2019-20, 2020-21 and 2021-22.

Sri G. Raghuma Reddy, CMD, TSSPDCL for petitioner is present. Heard the representative of the petitioner. The petition is refused.

Sd/-
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Member

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 79 of 2021	TSSPDCL	-None-

Petition filed seeking to undertake approval of aggregate revenue requirement for retail supply business for FY 2022-23.

Sri G. Raghuma Reddy, CMD, TSSPDCL for petitioner is present. The representative of the petitioner submitted the contents of the petition through a presentation and sought time of ten days to file the proposed tariff for the ensuing financial year. This reply came from the representative upon questioning by the Commission, as to why the aggregate revenue requirement filing for FY 2022-23 should be returned. In view of the request, time is granted to file the proposed tariff on or before 27.12.2021.

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Chairman

Case No.	Name of the Petitioner(s)	Name of the Respondent(s)
O. P. (SR) No. 80 of 2021	TSNPDCL	-None-

Petition filed seeking to undertake approval of aggregate revenue requirement for retail supply business for FY 2022-23.

Sri A. Gopal Rao, CMD, TSNPDCL for petitioner is present. The representative of the petitioner submitted the contents of the petition through a presentation and sought time of ten days to file the proposed tariff for the ensuing financial year. This reply came from the representative upon questioning by the Commission, as to why the aggregate revenue requirement filing for FY 2022-23 should be returned. In view of the request, time is granted to file the proposed tariff on or before 27.12.2021.

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