

**Record of Proceedings dated 04.10.2016**

O. P. No. 1 of 2014  
&  
I. A. NOs. 7 & 8 of 2016.

M/s Shalivahana (MSW) Green Energy Limited vs Nil (as shown by petitioner)  
TSNPDCL (added by the Commission)

Petition filed for determination of the tariff for the 12 MW MSW project. Coming up for first time after notice to TSNPDCL.

I. A. filed for fixing interim tariff for the project of the petitioner.

I.A. filed for fixing early date of hearing the case.

Sri. A. Narayana, General Manager, Sri. N. Kiran Kumar, Asst, General Manager and Sri. D. Gopinath, Senior Liaison Officer of the petitioner company and Sri. V. Buchi Reddy, A.A.O. / IPC on behalf of the respondent are present. The representatives of the petitioner stated that the petitioner has filed the necessary certificate as directed by the Commission. The representative of the DISCOM stated that the copy of the certificate as filed by the petitioner is received by the respondent also.

Both the representatives stated that the counsel did not appear for the reason that the High Court is in vacation and therefore, they were not available.

The Commission sought to know from the representative of the petitioner about the validity of the certificate issued by TNREDCL on the basis of an order issued by Environmental Authority, which expired about two years ago. In reply it is stated that the order of the Environmental Authorities is not valid and therefore the certificate cannot be termed as valid one.

The representative of the petitioner stated that the certificate is obtained pursuant to directions of the Commission on the basis of submissions made by the DISCOM. However, the representative of the DISCOM while agreeing with the view expressed by the Commission, stated that the licensee is not pressing for the same, if the Commission is satisfied about the certificate.

The Commission expressed that the DISCOM should satisfy itself whether the plant is an MSW or RDF plant by conducting a joint inspection and filing a report before the Commission after giving a copy to the petitioner. In this context, the representative of the petitioner has placed orally his no objection for such a report. He also pointed out that the plant was originally an RDF plant but the sanctions and permissions obtained earlier recorded the plant as MSW plant only, as there was no fine distinction between MSW and RDF based technology and such distinction came to light in the recent years only. He also stated that the plant was established in terms of MNRE guide lines, which provided for 75% PLF for base fuel and 25% liberty for other fuels. At present, the Commission recognized 100% PLF either on MSW or RDF. The proposal of inspecting and reporting is also accepted by the representative of the DISCOM. Therefore, a report is required to be filed by 15.10.2016 in the matter.

The Commission expressed displeasure and sought to record its unhappiness over absence of the counsel for the parties despite notice issued to either parties. It also expressed displeasure that the petitioner company merely sent its employees instead of representing the matter through its Managing Director or any of its Directors. Likewise, it also expressed displeasure about nonappearance of the any of the Directors on behalf of the DISCOM and also not providing authorization to the person, who is appearing on behalf of DISCOM, he being an Accounts Officer not conversant with technical aspects of the case.

While reserving the matter for orders, the Commission directed both the parties to file a report as directed above on or before 15.10.2016.

Sd/-  
Member

Sd/-  
Chairman