

Record of proceedings dated 11.08.2015

O. P. No. 4 of 2015

M/s. Gayatri Sugars Ltd vs. Govt. of Telangana & TSSPDCL

Petition seeking determination of tariff for the project as the tariff mentioned in PPA Sri S.Rambabu, Counsel for petitioner along with Sri. S Murali Krishna representative of the petitioner and Sri Y.Rama Rao, counsel for the respondent are present. Counsel for the respondent filed additional submissions. With reference to Hon'ble APTEL order, Commission raised issues as pointed below and directed the counsel for the parties to submit their respond on those issues.

- a) Which control period orders of the Commission is applicable in the case, whether it is control period FY 2004-05 to 2008-09 or FY 2009-10 to 2013-14.
- b) Whether Hon'ble ATE order is for determination of only variable cost or both fixed cost and variable cost in view of the submission of the DISCOM's counsel that the variable cost is only payable from 2009.
- c) Clear calculations regarding the number of units supplied by the petitioner is to be confirmed by the licensee as the tariff have to be paid for such units only.
- d) What is the interpretation to be given to the clause 2.2 of the PPA.
- e) Does it not amount to opening a pandoras box if the determination is to be done afresh.
- f) if coal generation is made in off season indicate the number of units generate pursuant to government order as such untis have to be omitted for payment of tariff now to be determined.

Commission ascertained as to why the interim order as passed by it has not been implemented till date, eventhough specific date has been fixed for implementation. To this the counsel for respondent specifically replied that the process is underway and therefore, the licensee has been sought extension of time sought by the licensee. However, on instructions from his client, which he has obtained immediately through the representative, who is present from the Managing Director upon requirement of the Commission to do so immediately, emphatically stated that the order would be implemented by the licensee on or before 25.08.2015 and compliance filed thereof.

Commission directed the counsel for the respondent to make payment by 25.08.2015 with reference to interim order already passed and posted to 25.08.2015 for further hearing. **There will not be any further adjournment on any pretext.**

		Call on 25.08.2015
		At. 11.00 AM
Sd/- Member	Sd/- Member	Sd/- Chairman

O. P. No.11 of 2015

M/s. SLT Power & Infrastructure Projects (P) Ltd vs. Govt. of Telangana, CMD, TSTRANSCO, & Ors.

Petition seeking directions to apply tariff determined on 22.06.2013 in respect of Industrial waste.

Sri M. V. Pratap Kumar, Counsel the petitioner along with Sri. G. Vijaya Bhaskar Reddy representative of the petitioner and Sri Y. Rama Rao, Counsel for the respondents, are present. Detailed arguments are advanced by the counsel for the parties. Counsel for the petitioner filed additional submissions. Counsel for the respondents filed written submission stating that the matter may not be proceeded with as the order is erroneous with out filing the necessary data. This was objected by the counsel for the petitioner. Commission has directed the Discom officials to submit their calculation sheets on arriving the capital cost, fixed cost, tariff year on year, working capital required and its interest, variable cost limiting the coal usage of 15%, in un-season period according to CERC regulations to assist the Commission. Posted to 25.08.2015.

		Call on 25.08.2015
		At. 11.00 AM
Sd/- Member	Sd/- Member	Sd/- Chairman

O. P. No.59 of 2015 & I.A.No. 20 of 2015

M/s. KSK Mahanadi Power Company Ltd vs. DISCOMS

Petition filed for adjudication of dispute towards liquidated damages

Smt. Swapna Seshadri, Counsel for the petitioner and Sri Y. Rama Rao, Counsel for the respondents, are present. The counsel for the petitioner and respondent submitted the arguments. Commission directed the counsel for the petitioner to file the demand

raised on the DISCOMS individually and payment made individually by them. Based on the documents filed by the counsel for the petitioner, counsel for the respondents shall file the written submissions. The next date of hearing will be intimated only upon these pleadings are complete. The Commission has raised the issue on jurisdiction of the Commission, in view of AP Reorganisation Act, 2014.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No.60 of 2015

DISCOMS & APPCC vs M/s. KSK Mahanadi Power Company Ltd

Petition filed for directions on illegal claim of Rs.66.31crs

Sri Y. Rama Rao, Counsel for the petitioners and Smt. Swapna Seshadri, Counsel for the respondents, are present. The counsel for the petitioner and respondent submitted the arguments. Commission directed the counsel for the respondent to file the demand raised on the DISCOMS individually and payment made individually by them. Based on the documents filed by the counsel for the respondent, counsel for the petitioners shall file the written submissions. The next date of hearing will be intimated only upon these pleadings are complete. The Commission has raised the issue on jurisdiction of the Commission, in view of AP Reorganisation Act, 2014.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No.68 of 2015 & I.A.No. 19 of 2015

M/s. KSK Mahanadi Power Company Ltd vs. DISCOMS

Petition filed for adjudication of dispute arising under the PPA

Smt. Swapna Seshadri, Counsel for the petitioner and Sri Y. Rama Rao, Counsel for the respondents, are present. The counsel for the petitioner and respondent submitted the arguments. Commission directed the counsel for the petitioner to file the demand raised on the DISCOMS individually and payment made individually by them. Based on the documents filed by the counsel for the petitioner, counsel for the respondents shall file the written submissions. The next date of hearing will be intimated only upon

these pleadings are complete. The Commission has raised the issue on jurisdiction of the Commission, in view of AP Reorganisation Act, 2014.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. (SR) No. 27 of 2015

M/s. Lodha Healthy Construction and Developers (P) LTd vs. CMD, TSSPDCL & Ors.

Petition filed questioning action of Discoms in not implementing order of Ombudsman

Sri Challa Gunaranjan, Counsel for the petitioner, Sri Y.Rama Rao, Counsel for the respondents, are present. Counsel for the respondents sought time for filing counter.

Since it is a small matter, Commission is inclined to admit the petition. Accordingly, while admitting the petition it directs the counsel for the respondents to file the detailed submission and also come prepared to make submission in the matter finally with all the relevant data. Posted to 25.08.2015 for filing counter and arguments.

Call on 25.08.2015
At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. (SR) No. 28 of 2015

M/s. Sanathnagar Enterprises Ltd vs. CMD, TSSPDCL & Ors.

Petition filed questioning action of Discoms in not implementing order of Ombudsman

Sri Challa Gunaranjan, Counsel for the petitioner, Sri Y.Rama Rao, Counsel for the respondents, are present. Counsel for the respondents sought time for filing counter.

Since it is a small matter, Commission is inclined to admit the petition. Accordingly, while admitting the petition it directs the counsel for the respondents to file the detailed submission and also come prepared to make submission in the matter finally with all the relevant data. Posted to 25.08.2015 for filing counter and arguments.

Call on 25.08.2015
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Sd/-
Member

Sd/-
Member

Sd/-
Chairman