

Record of proceedings dated 11.08.2021

| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|----------------------|---|---------------------------|
| O. P. No. 10 of 2021 | M/s. Medak Solar Projects Private Limited | TSTRANSCO & TSSPDCL |

Petition filed seeking to punish the respondents for non-compliance of the order dated 02.01.2019 in O. P. No. 46 of 2018 passed by the Commission.

Sri Sridhar, Advocate representing Sri Challa Gunaranjan, Advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The advocate representing the counsel for petitioner stated that the respondents have filed an appeal before the Hon'ble ATE and the same is scheduled for hearing on 13.08.2021. Therefore, he requested that the matter may be taken up on any other date after 13.08.2021. The representative of the respondents stated that the appeal is scheduled for hearing on 13.08.2021. In the circumstances, the present petition may be adjourned. Accordingly, the matter is adjourned.

Call on 06.09.2021 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. 11 of 2021 | M/s. Dubbak Solar Projects Private Limited | TSTRANSCO & TSSPDCL |

Petition filed seeking to punish the respondents for non-compliance of the order dated 02.01.2019 in O. P. No. 47 of 2018 passed by the Commission.

Sri Sridhar, Advocate representing Sri Challa Gunaranjan, Advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The advocate representing the counsel for petitioner stated that the respondents have filed an appeal before the Hon'ble ATE and the same is scheduled for hearing on 13.08.2021. Therefore, he requested that the

matter may be taken up on any other date after 13.08.2021. The representative of the respondents stated that the appeal is scheduled for hearing on 13.08.2021. In the circumstances, the present petition may be adjourned. Accordingly, the matter is adjourned.

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|----------------------|---------------------------|---------------------------|
| O. P. No. 12 of 2021 | M/s. Sarvotham Care | TSTRANSCO & TSSPDCL |

Petition filed seeking to punish the respondents for non-compliance of the order dated 02.01.2019 in O. P. No. 61 of 2018 passed by the Commission.

Sri Sridhar, Advocate representing Sri Challa Gunaranjan, Advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The advocate representing the counsel for petitioner stated that the respondents have filed an appeal before the Hon'ble ATE and the same is scheduled for hearing on 13.08.2021. Therefore, he requested that the matter may be taken up on any other date after 13.08.2021. The representative of the respondents stated that the appeal is scheduled for hearing on 13.08.2021. In the circumstances, the present petition may be adjourned. Accordingly, the matter is adjourned.

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| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|---|-------------------------------|--|
| I. A. No. 13 of 2019 in O. P. No. 4 of 2013 | M/s. VBC Ferro Alloys Limited | TSSPDCL & SE (O) Sangareddy TSSPDCL |

Application filed seeking revisiting the conditions stipulated in the retail supply tariff order for FY 2013-14 for category of HT-I (B) consumers.

Sri Sridhar, Advocate representing Sri Challa Gunaranjan, Advocate for applicant and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The advocate representing the counsel for applicant has sought further time for filing the rejoinder, as the authorized person has been changed and the new person has already completed the task, as such the same will be filed immediately. The Commission observed that the applicant took time for filing rejoinder on several occasions and as such, the matter has been posted today for final hearing including filing of rejoinder. However, the advocate persisted with the request and stated that the rejoinder will be filed by tomorrow itself. Having regard to the request of the counsel for the applicant, the matter is adjourned on the condition that the rejoinder shall be filed immediately duly making available a copy of the same to the respondents, either physically or by email and no further adjournment will be granted in the matter, as it will be heard finally.

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Chairman

| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|---|----------------------------------|--|
| I. A. No. 14 of 2019 in O. P. No. 4 of 2012 | M/s. VBC Ferro Alloys Limited | TSSPDCL & SE (O) Sangareddy TSSPDCL |

Application filed seeking revisiting the conditions stipulated in the retail supply tariff order for FY 2012-13 for category of HT-I (B) consumers.

Sri Sridhar, Advocate representing Sri Challa Gunaranjan, Advocate for applicant and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The advocate representing the counsel for applicant has sought further time for filing the rejoinder, as the authorized person has been changed and the new person has already completed the task, as such the same will

be filed immediately. The Commission observed that the applicant took time for filing rejoinder on several occasions and as such, the matter has been posted today for final hearing including filing of rejoinder. However, the advocate persisted with the request and stated that the rejoinder will be filed by tomorrow itself. Having regard to the request of the counsel for the applicant, the matter is adjourned on the condition that the rejoinder shall be filed immediately duly making available a copy of the same to the respondents, either physically or by email and no further adjournment will be granted in the matter, as it will be heard finally.

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| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|---|-------------------------------|--|
| I. A. (SR) No. 28 of 2019 in O. P. No. 21 of 2017 | M/s. VBC Ferro Alloys Limited | TSSPDCL & SE (O) Sangareddy TSSPDCL |

Application filed seeking revisiting the conditions stipulated in the retail supply tariff order for FY 2018-19 for category of HT-I (B) consumers.

Sri Sridhar, Advocate representing Sri Challa Gunaranjan, Advocate for applicant and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The advocate representing the counsel for applicant has sought further time for filing the rejoinder, as the authorized person has been changed and the new person has already completed the task, as such the same will be filed immediately. The Commission observed that the applicant took time for filing rejoinder on several occasions and as such, the matter has been posted today for final hearing including filing of rejoinder. However, the advocate persisted with the request and stated that the rejoinder will be filed by tomorrow itself. Having regard to the request of the counsel for the applicant, the matter is adjourned on the condition

that the rejoinder shall be filed immediately duly making available a copy of the same to the respondents, either physically or by email and no further adjournment will be granted in the matter, as it will be heard finally.

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| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|----------------------|---|--------------------------------------|
| O. P. No. 27 of 2021 | M/s. Paramount Minerals & Chemicals Limited | TSSPDCL, its CGM (IPC & RAC) & TSPCC |

Petition filed seeking extension of SCOD and consequently reimbursement of the penalty.

Sri Sridhar, Advocate representing Sri Challa Gunaranjan, advocate for petitioner and Sri. Mohammad Bande Ali, Law Attachee, for the respondents have appeared through video conference. The counsel for petitioner stated that the matter is coming up for hearing today for first time and the counter affidavit of the respondents is to be filed. The representative of the respondents sought time for filing counter affidavit in the matter. Accordingly, the matter is adjourned.

Call on 06.09.2021 at 11.30 AM.

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| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|----------------------|---------------------------------------|-----------------------------|
| O. P. No. 26 of 2021 | M/s. MSN Laboratories Private Limited | TSSLDC, TSTRANSCO & TSSPDCL |

Petition filed seeking no objection certificate for procurement of power under STOA.

Sri. Uma Shankar, Advocate for petitioner and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The counsel for petitioner stated that the matter is coming up for hearing today for first time and the counter affidavit of the respondents is to be filed. The representative of the

respondents sought time for filing counter affidavit in the matter. Accordingly, the matter is adjourned.

Call on 06.09.2021 at 11.30 AM.

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| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|--|--|-----------------------------------|
| O. P. No. 3 of 2021 & I. A. No. 29 of 2017 | M/s. REI Power Bazaar Private Limited | TSTRANSCO, TSDISCOMs & TSGENCO |

Petition filed seeking to establish power market (power exchange) in the State of Telangana U/s 86 (1) (k) r/w Sec. 66 of the Act, 2003.

I. A. filed seeking to receive documents on file for consideration of the original petition.

Sri Koushik Soni, Advocate representing Sri P. Vikram, counsel for the petitioner and Sri. D. N. Sarma, OSD (Legal & Commercial) for the respondents have appeared through video conference. The advocate representing the counsel for petitioner stated that the petitioner needs further time of two months to proceed with the matter. The representative of the respondents sought to submit his line of arguments which has been permitted by the Commission.

The representative of the respondents stated that the petitioner has sought orders of the Commission to establish a market based on the concept of over the counter involving bilateral transactions. To emphasize his point, he has read over the prayer in the petition. The reference is made also to the provisions of the Act, 2003 and the regulation framed by the Central Electricity Regulatory Commission (CERC) for establishment of power market including energy exchange. It is his case that there are no regulations of this Commission insofar as intrastate energy exchange or market as had been envisaged by the CERC.

The representative of the respondents stated that at the national level, there is an energy exchange in the form of India Energy Exchange and the petitioner is intending to establish a similar one at the level of the state, but limiting it to over counter trading, which is mostly a bilateral transaction and not a multilateral transaction.

The representative of the respondents explained that the transactions undertaken by the exchange are not opaque and are governed by the regulations of the CERC. The concept of over the counter proposed by the petitioner does not involve the exchange, as it is mostly a transaction between two parties that is buyer and seller. Whereas in case of exchange, the transactions are routed through the exchange and neither the buyers nor the sellers are visible to each other. The entire transaction is anonymous. The transactions are balanced as the equilibrium is achieved towards the capacity and price, as there will be several buyers and sellers and the whole exercise is done transparently.

The representative of the respondents stated that the energy exchange had several schemes of transactions starting with day ahead market (DAM) and they were further developed to several mechanisms regarding the sale and supply of energy. The latest scheme is with regard to real time advanced market including the recently started real time markets. The energy exchange charges the players in the exchange at 0.2 paise per transaction, whereas no such proposal is made in the petition filed by the petitioner. It also did not indicate about the mechanism required to control the players in the market.

The representative of the respondents stated that the petitioner sought to rely on the independent power producers and HT consumers in the state of Telangana.

According to DISCOM, there are not many power producers and HT consumers in the state of Telangana. If the market is allowed to be established in the state of Telangana, most of the HT consumers will be out of the retail supply business of the DISCOM and as such, there will be huge loss to the DISCOM. It is noticed that the petitioner has not assessed the volume of trade that is likely to be generated in the state of Telangana. However, while filing similar application before the Andhra Pradesh Electricity Regulatory Commission, it has been stated that there are about 38 generators and 136 HT consumers according to the petitioner. Therefore, there might be a suitable market, which can be established in the state of Andhra Pradesh, but the same is not feasible in the state of Telangana.

The representative of the respondents stated that allowing market may result in cartelization by the generators and gaming of power generation, which may be detrimental to the interest of the state. Also it is relevant to notice that there is not much surplus power for being placed on market conditions and traded in a market. If there are large number of players, the price discovered will be a reasonable and a proactive consumers centric one. Otherwise, it is detrimental to the consumers of the state. There is likelihood of transmission corridor congestion for which price is determined separately, namely, airta clearance price, whereas a regular transaction under IEX would involve forbearance price.

The representative of the respondents stated that the petitioner had approached several Commissions requesting to develop market in the respective states. It had approached Rajasthan, Kerala, Haryana and Odisha. In the case of Rajasthan, Kerala and Haryana, the respective Commissions have rejected the applications filed by the petitioner. Insofar as Odisha is concerned, the said

Commission had agreed to allow establishment of market on 'in-principle' basis, but required the petitioner to satisfy it about the financial and technical capabilities in accordance with the energy exchange regulation of CERC. There is no regulation issued by the Commission regarding energy exchange. The petitioner has relied on intrastate trading regulation of 2005, which is not applicable to the case of the petitioner as the proposal is under section 66 of the Act, 2003 relating to development of market. There is no regulation for the Commission with regard to markets also.

The representative of the respondents, accordingly, sought rejection of the petition, though it was 'in-principle' allowed by the Commission earlier by order dated 06.12.2018 while directing the petitioner to file additional documents relating to technical and financial aspects. It is not clear whether the petitioner has filed the required documents as directed by the Commission.

The advocate representing the counsel for the petitioner reiterated his request for adjourning the matter. At the instance of the petitioner, the matter is finally adjourned with the condition that no further adjournments will be allowed and the petitioner should file all the documents as directed by the Commission, if not already filed.

Call on 27.09.2021 at 11.30 AM.

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| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|---|--|--|
| I. A. No. 9 of 2021 In O. P. No. 18 of 2020 | Hyderabad Metropolitan Water Supply & Sewerage Board | TSDISCOMs, Spl. Chief Secretary, Energy Dept. & Spl. Chief Secretary, Fin. Dept. |

Application filed seeking extension of benefit in the tariff as ordered in the order dated 18.07.2020 in O. P. No. 18 of 2020 for FY 2021-22 and may be continued further.

Sri R. Sathyalingam, OSD (Fin. & Legal) for applicant and Sri. Mohammad Bande Ali, Law Attachee, for the respondents have appeared through video conference. The representative of the applicant stated that the present application is filed for continuation of the tariff fixed by the Commission that is payable by the applicant towards power charges to the respondents for FY 2021-22 and further eternal period. The Commission had determined the tariff for the applicant on the lines of metro rail project. Though the Commission had already extended the benefit of concessional tariff for FY 2018-19, 2019-20 and 2020-21 in terms of the directions of the government under section 108 of the Act, 2003, the same may be further extended for the present financial year as also eternally.

The representative of the respondents stated that the application is premature and may be refused. It is his case that the Commission had already passed orders on 28.03.2021 extending the tariff applicable for FY 2018-19 along with amendment until the Commission passes a fresh order for tariff insofar as FY 2021-22 is concerned. Therefore, the interest of the applicant is already protected. He also stated that the present application is uncalled for due to the reason that the Commission had itself in its original order made it conditional that the tariff will be applicable only upon receipt of subvention from the government towards loss sustained by the DISCOM. At present, the DISCOM is yet to receive subvention for the earlier period, as such, it is not in a position to extend the concessional tariff to the applicant, unless, the government fulfils its obligation. He sought rejection of the application filed by the applicant.

The representative of the applicant stated that the efforts are being made to get the subvention released by the government to the respondents. In the light of the submissions, the application is reserved for orders.

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|---|---------------------------|---------------------------|
| R. P. (SR) No. 19 of 2021 & I. A. (SR) No. 20 of 2021 in O. P. No. 24 of 2020 | TSDISCOMs | -None- |

Review petition filed Seeking to review of the order dated 02.01.2021 in O. P. No. 24 of 2021 passed by the Commission.

I. A. filed seeking condonation of delay in filing the review petition.

Sri Mohammad Bande Ali, Law Attachee for review petitioners has appeared through video conference. The representative of the petitioners stated that the review petition is filed against the order of the Commission dated 02.01.2021 seeking review of the said order. The review petition is not filed within the stipulated time and also the period that is allowed for condoning the delay. The Commission may consider and admit the review petition by passing orders on admission and condoning the delay in filing the review petition. Having heard the representative of the petitioners, the matter is reserved for orders.

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| Case No. | Name of the Petitioner(s) | Name of the Respondent(s) |
|---|---------------------------|---------------------------|
| O. P. No. 28 of 2021 & I. A. No. 10 of 2021 | TSDISCOMs | -None- |

Petition filed seeking determination of power purchase for FY 2020-21 to be adopted in the FY 2021-22.

I. A. filed seeking condonation of delay in filing the petition.

Sri. Mohammad Bande Ali, Law Attachee, for the petitioners has appeared through video conference. The representative of the petitioners stated that the original petition is filed for determination of pooled cost. In filing the said petition, there is a delay beyond the stipulated time in the regulation. He sought determination of the pooled cost by condoning the delay. Having heard the submission of the representative of the petitioners, the matter is reserved for orders.

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| O. P. No. 25 of 2021 | M/s. Singareni Collieries Company Ltd. | TSDISCOMs |

Petition filed seeking adjudication on the secondary billing disputes for FY 2016-19 for 2 X 600 MW Jaipur project.

Sri Jishnu Dutta, representative for petitioner and Sri. Mohammad Bande Ali, Law Attachee for the respondents have appeared through video conference. The representative of the petitioner stated that the matter is coming up for hearing today for first time and the counter affidavit of the respondents is to be filed. He also stated that the counsel for the petitioner is unable to attend herein today, therefore, he is representing the matter. The representative of the respondents sought time for filing counter affidavit in the matter. The Commission pointed out that this matter alongwith another matter filed by the petitioner in O. P. No. 8 of 2021, which is scheduled on 25.08.2021, are posted together to the convenient date of the counsel for petitioner. The said O. P. is adjourned only for submission of reply arguments. Accordingly, the matter is adjourned.

Call on 06.09.2021 at 11.30 AM.

Sd/-
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