

Record of Proceedings dated 02.06.2018

O. P. No. 8 of 2017

M/s. Shree Cement Limited Vs. TSSPSDCL, Vedanta Limited & Bharat Aluminium Co. Ltd.

Petition filed seeking recovery of the amounts due from the respondents towards sale of power on short term basis U/s 86 (1) (f) of the Act, 2003.

Sri. Abhinav Reddy, Advocate representing Sri. P. Vikram, Advocate for the petitioner, Sri. Y. Rama Rao, Standing counsel for the respondent No.1 along with Ms. Pravalika, Advocate and Sri. N. Phani, Advocate representing Sri. K. Gopal Chowdari, Advocate for respondents No.2 and 3 are present. The advocate representing the counsel respondents No.2 and 3 stated that the counsel is unable to attend the hearing, due to personal reasons and therefore, requested to adjourn the matter to any other date. The counsel for the respondent No.1 confirmed about intimation of seeking adjournment in advance. The advocate representing the counsel for the petitioner stated that the matter may be listed for hearing on or after 30.06.2018, as the senior advocate from Delhi appearing in the matter. Accordingly adjourned.

Call on 30.06.2018 at 11 A.M.

Sd/-
Chairman

O. P. No.10 of 2017

M/s. Arhyama Solar Power Pvt. Ltd Vs. TSSPDCL

Petition filed seeking questioning the action of the respondent in not implementing provisions of regulations / orders issued by the Commission in respect of Balancing and Settlement Code of 2006.

Sri. N.K.K. Venkat, Consultant for the petitioner and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate are present. The consultant for the petitioner stated that the petitioner is the generator and has been supplying energy to third party consumers under open access. The petitioner's consumer is mulcted with charges for time of the day supply as determined by the Commission for the supply made by the generator also. The consumer of the petitioner is also not given the benefit of incentives for the drawl of energy during off peak period. Therefore, the petitioner being aggrieved by the action of the licensee

of levying TOD charges and not giving incentive to its consumer is before the Commission for directions to the licensees to give effect to the Electricity Act, 2003 and Regulation No. 2 of 2006 being interim balancing and settlement code. The consultant also point out the documents that were filed upon the directions of the Commission on the earlier date of hearing.

The counsel for the respondents stated that there is grievance for the petitioner before the Commission, as it is a generator and issue involved in this petition is with regard to billing of energy to the consumer, who is availing supply from both DISCOM and generator. It is his case that TOD charges are liable to be paid by the consumer as the DICOM is supplying power by procuring the same at high cost from the market. He also stated that the Commission in its tariff order for FY 2016-17 has emphatically supported the view of the DISCOM that TOD charges are leviable for the peak time, even though, the same was opposed by the petitioner and others. The petition is filed by the generator and the generator has no locus standi in the matter. The consumer ought to have filed the petition instead of the generator, however, the consumer has other remedies than the Commission, which can be invoked by it. As far this petition is concerned, the same may be dismissed as not maintainable due to lack of locus standi.

Heard the arguments of the counsel for the parties. The matter is reserved for orders. The parties are at liberty to file their written submissions preferably within a week.

Sd/-
Chairman

I. A. No. 3 of 2017
in
O. P. No. 76 of 2015

M/s. Federation of Telangana & Andhra Pradesh Chambers of Commers & Industry
Vs. TSDISCOMs

Petition filed Seeking modification of tariff order for the year 2015-16 in respect of R.O. / water processing plants.

Smt. T. Sujatha, Joint Director of the petitioner and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate are present. The counsel for the respondents reported that as per the directions of the Commission,

none of the consumers or the federation itself have approached the Nodal Officer for resolving the issue raised in the matter. The representative of the federation expressed her apologies as to the understanding of the directions of the Commission on the earlier occasion. However, the federation has filed its submissions directly before the Commission instead of discussing the matter with the Nodal Officer. She also expressed the view that even after initiation of the proceedings, several notices are being sent by the DISCOM to the affected consumers. This position is not correct on the part of the DISCOM.

The Commission expressed its displeasure about not pursuing the matter with the Nodal Officer as well as issuance of notices by the licensee post initiation of proceedings before the Commission. It was made clear as discussed in the earlier hearing, the parties should arrive at amicable figures of payment towards dues from 2012 to 2016 as well as interest portion that can be waived off up to the year 2016.

The parties shall ensure compliance of the observations of the Commission and file detailed statement about the amount arrived at for settlement as well as interest rate by 30.06.2018. In the absence of the same, the Commission will proceed to decide the amounts duly quantifying the dues. Accordingly, the matter is reserved for orders.

Sd/-
Chairman

I. A. No. 4 of 2017
in
O. P. No. 76 of 2015

Sri. Ashok Bukka Vs. TSDISCOMs

Petition filed Seeking modification of tariff order for the year 2015-16 in respect of R. O. / water processing plants.

Sri. Bukka Ashok petitioner along with Smt. T. Sujatha, Joint Director of FTAPCCI and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate are present. The counsel for the respondents reported that as per the directions of the Commission, none of the consumers or the federation itself have approached the Nodal Officer for resolving the issue raised in the matter. The representative of the federation on behalf of the petitioner expressed her apologies

as to the understanding of the directions of the Commission on the earlier occasion. However, the federation has filed its submissions directly before the Commission instead of discussing the matter with the Nodal Officer. She also expressed the view that even after initiation of the proceedings, several notices are being sent by the DISCOM to the affected consumers. This position is not correct on the part of the DISCOM.

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The parties shall ensure compliance of the observations of the Commission and file detailed statement about the amount arrived at for settlement as well as interest rate by 30.06.2018. In the absence of the same, the Commission will proceed to decide the amounts duly quantifying the dues. Accordingly, the matter is reserved for orders.

Sd/-
Chairman

I. A. No. 5 of 2017
in
O. P. No. 76 of 2015

Sri. M. Krishna Reddy Vs. TSDISCOMs

Petition filed Seeking modification of tariff order for the year 2015-16 in respect of RO / water processing plants.

Sri. M. Krishna Reddy petitioner along with Smt. T. Sujatha, Joint Director of FTAPCCI and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate are present. The counsel for the respondents reported that as per the directions of the Commission, none of the consumers or the federation itself have approached the Nodal Officer for resolving the issue raised in the matter. The representative of the federation on behalf of the petitioner expressed her apologies as to the understanding of the directions of the Commission on the earlier occasion. However, the federation has filed its submissions directly before the

Commission instead of discussing the matter with the Nodal Officer. She also expressed the view that even after initiation of the proceedings, several notices are being sent by the DISCOM to the affected consumers. This position is not correct on the part of the DISCOM.

The Commission expressed its displeasure about not pursuing the matter with the Nodal Officer as well as issuance of notices by the licensee post initiation of proceedings before the Commission. It was made clear as discussed in the earlier hearing, the parties should arrive at amicable figures of payment towards dues from 2012 to 2016 as well as interest portion that can be waived off up to the year 2016.

The parties shall ensure compliance of the observations of the Commission and file detailed statement about the amount arrived at for settlement as well as interest rate by 30.06.2018. In the absence of the same, the Commission will proceed to decide the amounts duly quantifying the dues. Accordingly, the matter is reserved for orders.

Sd/-
Chairman

I. A. No. 6 of 2017
in
O. P. No. 76 of 2015

Sri. Bandi Laxmikantha Reddy Vs. TSDISCOMs

Petition filed Seeking modification of tariff order for the year 2015-16 in respect of RO / water processing plants.

Sri. B. Laxmikantha Reddy petitioner along with Smt. T. Sujatha, Joint Director of FTAPCCI and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate are present. The counsel for the respondents reported that as per the directions of the Commission, none of the consumers or the federation itself have approached the Nodal Officer for resolving the issue raised in the matter. The representative of the federation on behalf of the petitioner expressed her apologies as to the understanding of the directions of the Commission on the earlier occasion. However, the federation has filed its submissions directly before the Commission instead of discussing the matter with the Nodal Officer. She also

expressed the view that even after initiation of the proceedings, several notices are being sent by the DISCOM to the affected consumers. This position is not correct on the part of the DISCOM.

The Commission expressed its displeasure about not pursuing the matter with the Nodal Officer as well as issuance of notices by the licensee post initiation of proceedings before the Commission. It was made clear as discussed in the earlier hearing, the parties should arrive at amicable figures of payment towards dues from 2012 to 2016 as well as interest portion that can be waived off up to the year 2016.

The parties shall ensure compliance of the observations of the Commission and file detailed statement about the amount arrived at for settlement as well as interest rate by 30.06.2018. In the absence of the same, the Commission will proceed to decide the amounts duly quantifying the dues. Accordingly, the matter is reserved for orders.

Sd/-
Chairman

I. A. No. 7 of 2017
in
O. P. No. 76 of 2015

Sri. M. Jaipal Reddy Vs. TSDISCOMs

Petition filed Seeking modification of tariff order for the year 2015-16 in respect of RO / water processing plants.

Sri. M. Jaipal Reddy petitioner along with Smt. T. Sujatha, Joint Director of FTAPCCI and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate are present. The counsel for the respondents reported that as per the directions of the Commission, none of the consumers or the federation itself have approached the Nodal Officer for resolving the issue raised in the matter. The representative of the federation on behalf of the petitioner expressed her apologies as to the understanding of the directions of the Commission on the earlier occasion. However, the federation has filed its submissions directly before the Commission instead of discussing the matter with the Nodal Officer. She also expressed the view that even after initiation of the proceedings, several notices are being sent by the

DISCOM to the affected consumers. This position is not correct on the part of the DISCOM.

The Commission expressed its displeasure about not pursuing the matter with the Nodal Officer as well as issuance of notices by the licensee post initiation of proceedings before the Commission. It was made clear as discussed in the earlier hearing, the parties should arrive at amicable figures of payment towards dues from 2012 to 2016 as well as interest portion that can be waived off up to the year 2016.

The parties shall ensure compliance of the observations of the Commission and file detailed statement about the amount arrived at for settlement as well as interest rate by 30.06.2018. In the absence of the same, the Commission will proceed to decide the amounts duly quantifying the dues. Accordingly, the matter is reserved for orders.

Sd/-
Chairman

I. A. No. 8 of 2017
in
O. P. No. 76 of 2015

Sri. Mohd. Makram Ali Vs. TSDISCOMs

Petition filed Seeking modification of tariff order for the year 2015-16 in respect of RO / water processing plants.

There is no representation for the petitioner, however. Smt. T. Sujatha, Joint Director of FTAPCCI stood on behalf of the petitioner and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate are present. The counsel for the respondents reported that as per the directions of the Commission, none of the consumers or the federation itself have approached the Nodal Officer for resolving the issue raised in the matter. The representative of the federation on behalf of the petitioner expressed her apologies as to the understanding of the directions of the Commission on the earlier occasion. However, the federation has filed its submissions directly before the Commission instead of discussing the matter with the Nodal Officer. She also expressed the view that even after initiation of the

proceedings, several notices are being sent by the DISCOM to the affected consumers. This position is not correct on the part of the DISCOM.

The Commission expressed its displeasure about not pursuing the matter with the Nodal Officer as well as issuance of notices by the licensee post initiation of proceedings before the Commission. It was made clear as discussed in the earlier hearing, the parties should arrive at amicable figures of payment towards dues from 2012 to 2016 as well as interest portion that can be waived off up to the year 2016.

The parties shall ensure compliance of the observations of the Commission and file detailed statement about the amount arrived at for settlement as well as interest rate by 30.06.2018. In the absence of the same, the Commission will proceed to decide the amounts duly quantifying the dues. Accordingly, the matter is reserved for orders.

Sd/-
Chairman

O. P. No.1 of 2018

M/s. Sarvaraya Sugars Ltd Vs. TSPCC & TSDISCOMs

Petition filed seeking claim of the amounts towards short term open access and reconciliation bills.

Sri. N. Phani, Advocate representing Sri. Challa Gunaranjan, Advocate for the petitioner and Sri. Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate are present. The counsel for the petitioner stated and filed a memo seeking to withdraw the petition in view of the settlement of the amounts due to the petitioner. The counsel for the respondents confirmed the same. Accordingly, the petitioner is permitted to withdraw the petition.

Sd/-
Chairman