

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 252/MP/2022

Subject : Petition for direction to the Respondents to pay an amount of Rs. 9,11,91,478/- towards reimbursement of the Minimum Fuel Off-take Charges (imbalance charges, cost of Ship or Pay Quantity and cost of deficiency quantity of gas) as claimed by the Petitioner which are part of monthly tariff bills.

Petitioner : Lanco Kondapalli Power Limited

Respondents : Southern Power Distribution Company of Andhra Pradesh Ltd. & 5 ors.

Date of Hearing : **14.2.2023**

Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present : Ms. Purna Priyadarshini, Advocate, LKPL
Shri Atharva Gaur, Advocate, LKPL
Shri Sidhant Kumar, Advocate, AP Discoms
Ms. Manyaa Chandok, Advocate, AP Discoms
Shri D. Abhinav Rao, Advocate, TSSPDCL
Shri Rahul Jajoo, Advocate, TSSPDCL

Record of Proceedings

During the hearing, the learned counsel for the Petitioner submitted that the present petition has been filed for reimbursement of amounts by the Respondents towards Minimum fuel off-take charges, Ship or Pay charges, for the period September, 2009 till October, 2011 with LPS till 31.7.2012, including the reimbursement of the amounts availed by the Respondents as rebate, from the monthly bills, with LPS till 31.7.2012.

2. On a specific query by the Commission as to whether the generating station is in operation, the learned counsel for the Petitioner replied in the negative.
3. The learned counsel for the Respondent, AP Discoms, while pointing out that the present petition is not maintainable, submitted that the Respondent may be permitted to file its reply in the matter. Similar submission was made by the learned counsel for the Respondent, TSSPDCL.
4. The Commission, after hearing the parties, directed as under:
 - (a) Admit and issue notice;
 - (b) The Respondents to file their replies on merits as well as maintainability, on or before **20.3.2023**, after serving copy on the Petitioner, who may, file its rejoinder,



if any, by **7.4.2023**. The parties are to complete their pleadings within the due dates mentioned and no extension of time shall be granted.

5. The petitions shall be listed for hearing on **4.5.2023**.

By order of the Commission

Sd/-

(B. Sreekumar)
Joint Chief (Law)