

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

**Petition No. 463/MP/2014
along with IA No. 40/2019**

Subject : Petition under Section 79(1)(f) of the Electricity Act, 2003 for a direction to the Respondents to pay additional fixed charge of Rs.0.439/KWH for the balance period of PPA (Interlocutory Application for bringing on record additional documents).

Petitioner : GMR Vemagiri Power Generation Limited

Respondents : APEDCL & ors.

OP No. 71/2012

Subject : Petition under Section 86(1)(b) of the Electricity Act, 2003 seeking consent of the Commission.

Petitioner : GMR Vemagiri Power Generation Limited

Respondents : APEDCL & ors.

OP No. 72/2012

Subject : Petition under Section 86 (1) (f) of the Electricity Act 2003 for a direction to the respondents to pay additional fixed charges of Rs. 0.439 Ps/KWH for the balance period of the PPA.

Petitioner : GMR Vemagiri Power Generation Limited

Respondents : APEDCL & ors.

Date of Hearing: **23.3.2023**

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

Parties present: Shri Sajan Poovayya, Senior Advocate, GVPGL
Ms. Divya Chaturvedi, Advocate, GVPGL
Shri Saransh Shaw, Advocate, GVPGL
Ms. Raksha Agrawal, Advocate, GVPGL
Shri Basava P. Patil, Senior Advocate, Telangana Discoms
Shri Anand K. Ganesan, Advocate, Telangana Discoms
Ms. Ashabari Basu, Advocate, Telangana Discoms
Shri Geet Ahuja, Advocate, Telangana Discoms



Shri Sidhant Kumar, Advocate, AP Discoms
Ms. Manyaa Chandok, Advocate, AP Discoms

Record of proceedings

During the hearing, the learned Senior counsel for the Petitioner, pointed out to certain ROPs (6.10.20021, 22.2.2022 and 25.8.2022) and submitted that since the parties had agreed that the issues involved in O.P No. 71/2012 and O.P. No. 72/2012 were identical to the issues in Petition No.463/MP/2014, accordingly, submissions were made in these petitions and orders were reserved by the Commission on 25.8.2022. He, however, reiterated that the submissions made by the Petitioner, in Petition No.463/MP/2014, shall also be considered in respect of the OPs (71/2012 & 72/2012) filed by the Petitioner.

2. The learned Senior counsel for the Respondent, Telengana Discoms clarified that in case the prayers in Petition No. 463/MP/2014 (identical to the prayers in OPs) is entertained, the same will be barred by limitation, on which, submissions have been made by the Respondents. The learned Senior counsel, while pointing out that the Respondents are disputing the quantification of compensation, submitted that the Petitioner, has not made submissions, with regard to the determination of the quantum of compensation, in the matter. He, accordingly submitted that the Commission may decide the matters, based on the submissions of the parties.

3. In response, the learned Senior counsel for the Petitioner clarified that Petition No.463/MP/2014, which was filed after the bifurcation of the State of AP, has been clubbed with the OPs, which were transferred subsequently by APERC, pursuant to the judgment of the Hon'ble Supreme Court, upholding the jurisdiction of this Commission. He accordingly submitted that no alternate reliefs have been sought for by the Petitioner. The learned Senior counsel referred to the annexures and submitted that the Petitioner has furnished its calculations, quantifying the compensation amount, for the consideration of the Commission.

4. The learned counsel for the Respondent AP Discoms adopted the submissions of the Telengana Discoms.

5. At the request of the learned counsel for the parties, the Commission permitted the Petitioner and the Respondents to file their short submissions (not exceeding three pages) in these matters, on or before **10.4.2023**. No extension of time shall be granted.

6. Subject to the above, order in these petitions, was reserved.

By order of the Commission

Sd/-
(B. Sreekumar)
Joint Chief (Law)

