

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.91/MP/2018

Subject: Petition under Section 79(1)(b) read with Section 79(1)(f) and other applicable provisions of the Electricity Act, 2003 seeking adjudication of disputes and differences under the Power Purchase Agreement dated 31.07.2012 as amended on 19.12.2014 and 23.01.2018 in regard to non-payment of tariff and unilateral deduction of the monthly energy bills of the Petitioner by the Respondents.

Petition No.53/MP/2021
Along with IA No. 26/2023

Subject: Petition under Section 79(1)(b) read with Section 79(1)(f) and other applicable provisions of the Electricity Act, 2003 seeking adjudication of disputes and differences under the Power Purchase Agreement dated 31.7.2012 as amended on 19.12.2014 and 23.1.2018 in regard to non-payment of tariff and unilateral deduction of capacity charges under the Bills of the Petitioner by the Respondents.

Petition No.61/MP/2021
along with IA. 28/2021 & 42/2022

Subject: Petition under Section 79(1)(f) and (k) of the Electricity Act, 2003 for adjudication of disputes arising on account of termination of the Power Purchase Agreement dated 31.7.2012 by the Respondent Nos. 1 and 2.

Petition No.149/MP/2021

Subject: Petition under Section 79(1)(b) read with Section 79(1)(f) and other applicable provisions of the Electricity Act, 2003 seeking adjudication of disputes and differences under the Power Purchase Agreement dated 31.7.2012 as amended on 19.12.2014 and 23.1.2018 in regard to non-payment of tariff and unilateral deduction of capacity charges under the Bills of the Petitioner by the Respondents.

Petitioner : KSKMPL

Respondent : APSPDCL & 3 Ors.

Date of Hearing : **9.10.2023**

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



Parties Present: Shri Anand K. Ganesan, Advocate, KSKMPCL
Ms. Aishwarya Subramani, Advocate, KSKMPCL
Ms. Harsha V Rao, Advocate, KSKMPCL
Shri Sanjay Sen, Senior Advocate, AP Discoms
Shri S. Vallinayagam, Advocate, AP Discoms
Ms. Ruth Elwin, Advocate, AP Discoms
Ms. Neha M Dabral, Advocate, AP Discoms

Record of Proceedings

These petitions, which were reserved for orders on 29.5.2023, were re-listed for hearing, pursuant to the Petitioner's letter dated 15.9.2023.

2. During the hearing, the learned counsel for the Petitioner pointed out that since the Respondent AP discoms have raised certain objections (on the written submissions of the Petitioner) including the violation of natural justice, in their application dated 20.7.2023 (in Petition No. 53/MP/2021), the Petitioner had prayed for the re-listing of these petitions. He further submitted that since the pleadings have been completed by the parties, the Commission may reserve its orders in these petitions.

3. The learned Senior counsel for the AP discoms pointed out that the Petitioner's response vide affidavit dated 3.7.2023, to certain additional information sought by the Respondent AP discoms, was inadequate. He, however, circulated a short note of submission (in Petition No. 53/MP/2021) and submitted that the Commission may consider the same while disposing of these petitions. The learned Senior counsel requested that the Commission permit the Respondents to upload the said note of submissions on the web portal, in the course of the day. This request was accepted by the Commission.

4. In response, the learned counsel for the Petitioner prayed that it may be granted some time to examine the short note of submissions circulated by the Respondent AP discoms, and if required, file a response to the same.

5. The Commission, after hearing the learned counsel for the parties, directed as under:

- (a) The Respondent AP discoms are permitted to upload their short note of submissions, if not done earlier, by **16.10.2023**;
- (b) The Petitioner may file its response to the above said submissions, on or before **23.10.2023**

6. Subject to the above, orders in these Petitions were reserved.

By order of the Commission

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

