

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.53/MP/2021**  
**with IA No. 100/2023**

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.

Petitioner : KSKMPL

Respondents : APSPDCL & 3 ors

Date of Hearing : **23.2.2024**

Coram : 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 S. Vallinayagam, Advocate, AP Discoms

**Record of Proceedings**

At the outset, the learned counsel for the Respondent, AP Discoms submitted that the I.A No. 100/2023 filed by the Respondents, seeking the oral hearing of Petition No.53/MP/2021, no more survives, since the said Petition was already heard on 9.10.2023, and orders were reserved. Accordingly, the learned counsel submitted that the present IA may be disposed of. This submission was agreed to by the learned counsel for the Petitioner. In terms of the submissions of the parties, the Commission, disposed of the said IA.

2. The Commission directed the Petitioner, KSKMPCL to furnish the following additional information on affidavit by **10.3.2024**, after serving a copy to the Respondents, who may file their replies, by **17.3.2024**.

- (a) *Block wise Total Declared Capacity (MW), Declared Capacity (MW) against each PPA, Total Schedule (MW), Schedule (MW) against each PPA, Schedule (MW) under STOA, if any and balance capacity (MW) available during regulation periods along with the supporting documents.*
- (b) *Block wise detailed working sheet for claiming capacity charges from the AP DISCOMS corresponding to 400 MW power tied up with the AP DISCOMs during the period under regulation.*
- (c) *Details relating to the payment of 40.91 Cr towards the untied capacity to PGCIL as claimed by AP DISCOMs*



3. Since the order in Petition No.53/MP/2021, which form part of the batch Petitions (Petition No. 91/MP/2018, Petition No.61/MP/2021 with IA.Nos 28/2021 & 42/2022 and Petition No.149/MP/2021) could not be issued prior to one Member of this Commission, who formed part of the Coram, demitting office, the Commission directed that these petitions will be re-listed for hearing on **22.3.2024**.

**By order of the Commission**

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

