

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 249/MP/2022**

Subject : Petition for seeking direction to the Respondents to pay capacity charges and interest on delay in payment of capacity charges and energy charges in terms of PPA dated 13.3.1997.

**Petition No. 250/MP/2022**

Subject : Petition for reimbursement of finance and procurement costs and applicable interest as per the provisions of PPA.

**Petition No. 251/MP/2022**

Subject : Petition for reimbursement of bank guarantee commission (part of finance and procurement costs) as claimed vide supplementary bills bearing Nos. 003 dated 21.3.2011, 004 dated 27.3.2012, 005 dated 1.3.2013, 006 dated 14.3.2014 and 007 dated 11.3.2015 and consequently direct the Respondents 1 to 3, to reimburse an amount of Rs.30,07,901/- being their share of bill amount.

**Petition No. 252/MP/2022**

Subject : Petition for direction to the Respondents to pay an amount of Rs. 9,11,91,4781- 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 : Andhra Pradesh Power Coordination Committee and 5 others

Date of Hearing : **13.5.2025**

Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member  
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri M.G. Ramachandran, Senior Advocate, LKPL  
Shri Sanjay Sen, Senior Advocate, LKPL  
Ms. Mandakini Ghosh, Advocate, LKPL  
Ms. Neha M. Dabral, Advocate, LKPL  
Shri Saurabh Gupta, Advocate, LKPL  
Shri Puneet Yadav, Advocate, LKPL  
Shri Akshansh Gupta, Advocate, LKPL  
Ms. Swapna Seshadri, Advocate, Andhra & Telangana Discoms  
Shri Anand K. Ganesan, Advocate, Andhra & Telangana Discoms  
Ms. Aishwarya, Advocate, Andhra & Telangana Discoms  
Shri Harsha, Advocate, Andhra & Telangana Discoms

### **Record of Proceedings**

At the outset, the learned Senior counsel for the Petitioner submitted that pursuant to the directions of the Commission vide ROP of the hearing dated 12.2.2025, the parties, in their written submissions, have pointed out that the issues raised in the petition relate to tariff and have to be decided by this Commission and cannot be referred to arbitration in terms of the decision of the APTEL in MPPMCL v DVC dated 25.10.2024 in Appeal No. 309/2024.

2. At the request of the parties, Petition No. 249/MP/2022 was taken up for hearing. During the hearing, the learned Senior counsel for the Petitioner and the learned counsel for the Respondents circulated their notes of arguments/ written submissions and made detailed oral arguments in the matter.

3. The Commission, after hearing the parties, directed the Respondents to file the following information, on affidavit, on or before **20.6.2025**, after serving a copy to the other:

(a) *Reason as to why the Respondents initially refused to accept the COD declared on 25.10.2000 and the factors which led them to accept the COD later and commence the power procurement from 2.1.2001 onwards?*

4. The Petitioner is permitted to file its response, if any, to the above by **27.6.2025**. Subject to this, the order in Petition No. 249/MP/2022 is reserved.

### **Petition Nos. 250/MP/2022, 251/MP/2022 and 252/MP/2022**

5. At the request of the parties, Petition No. 250/MP/2022, Petition No. 251/MP/2022, and Petition No. 252/MP/2022 will be listed for hearing on **5.8.2025**.

**By order of the Commission**

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