

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.282/MP/2021

Subject : Petition under Section 79(1) (b), Section 79 (1)(f) and Section 79 (1)(k) of the Electricity Act 2003, read with Articles 11.5.3,11.5.4,12.1, 24.3 and 24.4 of the Pilot Agreement for Procurement of Power (PAPP) dated 26.10.2018 executed between the Petitioner (RKM) and the Respondent (PTC) seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; (iii) additional interest; and for furnishing of Letter of Credit as payment security mechanism.

Petitioner : RKM Powergen Private Limited (RKMPPL)

Respondents : PTC India Limited (PTCIL) and Ors.

Petition No.141/MP/2022

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 read with the Pilot Power Supply Agreement (PPSA) dated 27.10.2018 executed between the Petitioner and the Telangana Discoms for supply of 550 MW of power from the power plant of Respondent No.4/RKM Powergen, seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; and (iii) furnishing Letter of Credit as per the PPSA.

Petitioner : PTC India Limited (PTCIL)

Respondents : Telangana State Power Coordination Committee and Ors.

Date of Hearing : **19.5.2025**

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

Parties Present : Shri Hemant Singh, Advocate, RKMPPL
Ms. Supriya Rastogi, Advocate, RKMPPL
Ms. Alchi Thapliyal, Advocate, RKMPPL
Shri Akshay Lal, Advocate, RKMPPL
Shri Jai Lal, Advocate, RKMPPL
Shri Gyanendra, Advocate, RKMPPL
Shri Gaurav Pathak, Advocate, RKMPPL
Shri D. Abhinav Rao, Advocate, Telangana Discoms
Shri H Ragahv Bherwani, Advocate, Telangana Discoms



Shri Ravi Kishore, Advocate, PTCIL
Shri Keshav Singh, Advocate, PTCIL
Shri Akshat Shrivastava, Advocate, CSPDCL
Shri Palash Pareek, Advocate, CSPDCL

Record of Proceedings

At the outset, the learned counsel for the Petitioner, RKMPPL, in Petition No. 282/MP/2021 submitted that the Respondent, PTCIL, has paid the entire principal amount/dues as involved in Petition No. 282/MP/2021 and the dispute remains only in respect of payment of Late Payment Surcharge (LPS). Learned counsel further submitted that PTCIL had sought the waiver of the LPS, which was denied by the Petitioner.

2. Learned counsel for PTCIL also submitted that the Respondents, Telangana Discoms, have also paid the entire principal amount/dues as involved in Petition No.141/MP/2022, and insofar as the LPS is concerned, since PTCIL is also entitled to recover the LPS from Telangana Discoms, the parties may be permitted to file respective LPS statements.

3. In response to the specific query of the Commission regarding the undisputed LPS liability on the delayed payment of principal dues, the learned counsel for the Respondents, Telangana Discoms, sought liberty to seek the necessary instructions in this regard.

4. Considering the submissions made by the learned counsels for the parties, the Commission permitted all the parties, i.e., RKMPPL, PTCL, and Telangana Discoms, to file their respective affidavits indicating their entitlement to and/or liability towards outstanding LPS along with the computations within three weeks.

5. The matters will be listed for hearing on **7.8.2025**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)