

Record of proceedings dated 22.02.2021

O. P. No. 7 of 2019

M/s. Prathmesh Solar Farms Private Limited Vs. TSTRANSCO, M/s. Mytrah Agriya Power Private Limited, CGM (Comml & RAC) TSSPDCL

Petition filed questioning the action of the TSTRANSCO in allowing another project to utilize the facilities developed by the petitioner contrary to the regulations.

Sri Utkarsh Singh, Advocate representing Smt. Swapna Seshadri, Advocate for the petitioner, Sri Y. Rama Rao, Advocate for respondent No. 1, Sri Avinash Deasi, Advocate for respondent No. 2 and Sri Mohammad Bande Ali, Law Attachee for respondent No. 3 have appeared through video conference. The counsel for the petitioner stated that he has received counter affidavit of the respondent no. 2 only the other day and he is required to file rejoinder against the said counter affidavit. He needs two weeks time to file the same. The counsel for respondent No. 1 and 2 as well as the representative for respondent No. 3 have no objection for the same. Accordingly, the petitioner shall file rejoinder on or before 10.03.2021 duly serving a copy of the same to the respondents through email or in physical form. Accordingly, the matter is adjourned.

Call on 18.03.2021 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 7 of 2021

&

I. A. No. 2 of 2021

TSDISOMs Vs. -None-

Petition filed seeking determination of pooled cost for FY 2019-20 to be considered for FY 2020-21.

I. A. filed seeking condonation of delay in filing the petition.

Sri Mohammad Bande Ali, Law Attachee for the petitioners has appeared through videos conference. The representative of the petitioner stated that the petition is filed for determination of pooled cost for FY 2019-20 to be considered FY 2020-21. He explained the details of the petition. He also stated that due to certain administrative

reasons, the petition has not been filed within time. The Commission may consider and pass appropriate orders in the matter.

The Commission sought to know as to whether the DISCOMs have replied for seeking additional information including auxiliary consumption. The representative of the petitioners submitted that the Commission may consider the information as submitted earlier. In view of the submissions made by the representative of the petitioners, the matter is reserved for orders.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

I. A. No. 13 of 2019
in
O. P. No. 4 of 2013

M/s. VBC Ferro Alloys Limited Vs. TSSPDCL & SE (O) Sangareddy TSSPDCL

Application filed seeking revisiting the conditions stipulated in the retail supply tariff order for FY 2013-14 for category of HT-I (b) consumers.

Sri Sreedhar, Advocate representing Sri Challa Gunaranjan, Advocate for the applicant and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The counsel for the applicant stated that he has received counter affidavit in the matter and he is required to file rejoinder against the said counter affidavit. He needs two weeks time to file the same. The representative for respondents has no objection for the same. Accordingly, the applicant shall file rejoinder on or before 08.03.2021 duly serving a copy of the same to the respondents through email or in physical form. Accordingly, the matter is adjourned.

Call on 15.03.2021 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

I. A. No. 14 of 2019
in
O. P. No. 4 of 2012

M/s. VBC Ferro Alloys Limited Vs. TSSPDCL & SE (O) Sangareddy TSSPDCL

Application filed seeking revisiting the conditions stipulated in the retail supply tariff order for FY 2012-13 for category of HT-I (b) consumers.

Sri Sreedhar, Advocate representing Sri Challa Gunaranjan, Advocate for the applicant and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The counsel for the applicant stated that he has received counter affidavit in the matter and he is required to file rejoinder against the said counter affidavit. He needs two weeks time to file the same. The representative for respondents has no objection for the same. Accordingly, the applicant shall file rejoinder on or before 08.03.2021 duly serving a copy of the same to the respondents through email or in physical form. Accordingly, the matter is adjourned.

Call on 15.03.2021 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

I. A. (SR) No. 28 of 2019
in
O. P. No. 21 of 2017

M/s. VBC Ferro Alloys Limited Vs. TSSPDCL & SE (O) Sangareddy TSSPDCL

Application filed seeking revisiting the conditions stipulated in the retail supply tariff order for FY 2018-19 for category of HT-I (b) consumers.

Sri Sreedhar, Advocate representing Sri Challa Gunaranjan, Advocate for the applicant and Sri Mohammad Bande Ali, Law Attachee for respondents have appeared through video conference. The counsel for the applicant stated that he has received counter affidavit in the matter and he is required to file rejoinder against the said counter affidavit. He needs two weeks time to file the same. The representative for respondents has no objection for the same. Accordingly, the applicant shall file rejoinder on or before 08.03.2021 duly serving a copy of the same to the respondents through email or in physical form. Accordingly, the matter is adjourned.

Call on 15.03.2021 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

R. P. (SR) No. 4 of 2019
in
O. P. No. 8 of 2017

M/s. Shree Cement Limited Vs. TSSPDCL & Vadanta Limited (Previously known as Sesa Sterlite Limited)

Review petition filed seeking review of the order dated 01.11.2018 passed in O. P. No. 8 of 2017 filed by the petitioner.

Sri P. Vikram, Advocate for the review petitioner, Sri D. N. Sarma, OSD (Legal & Finance) for respondent No. 1, Sri Hemant Singh, Advocate for respondent No. 2 have appeared through video conference. The counsel for petitioner stated that the short issue in the review petition is with regard to interpretation of the purchase order and the payment effected by the respondents pursuant to reasoning given by the Commission. The reasoning given by the Commission needs to be reviewed in view of the ambiguity between the purchase order and the PPA entered by the parties. The representative of respondent No. 1 stated that the order of the Commission is clear and emphatic in so far as this review petition is concerned, therefore, the same need not be reviewed. The representative of the respondent No. 1 stated that the main prayer in the review petition is against the 2nd respondent and as such the 1st respondent is not required to answer the review petition. The counsel for respondent No. 2 stated that in view of the submissions of the counsel for the petitioner, he needs time to file the counter affidavit to the review petition and as such, the matter may be adjourned by two weeks. Accepting the request of the counsel for the respondent No. 2, he is allowed to file counter affidavit on or before 08.03.2021 duly serving a copy of the same to the review petitioner as also the other respondent No.1 through email or in physical form. Accordingly, the matter is adjourned and it is made clear that there will be no further adjournment of the matter, as it will be heard finally.

Call on 08.03.2021 at 11.30 A.M.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

R. P. (SR) No. 22 of 2019
&
I. A. No. 5 of 2020
in
O. P. No. 8 of 2017

TSSPDCL Vs. M/s. Shree Cement Limited

Review petition filed seeking review of the order dated 01.11.2018 passed in O. P. No. 8 of 2017 filed by M/s. Shree Cement Limited.

Application filed seeking condonation of delay in filing the review petition.

Sri D. N. Sarma, OSD (Legal & Finance) for review petitioner and Sri P. Vikram, Advocate for respondent have appeared through video conference. The representative of the review petitioner stated about the issue involved in the review petition. The Commission pointed out that the review petition is filed with a delay and required him to submit the reasons for delay in filing the review petition. The representative of the petitioner stated that as per the regulation 75 days period is allowed for filing the review petition and thereafter another 30 days will be considered at the discretion of the Commission, but the review petitioner filed the review petition with a total delay of 87 days. This delay has been occasioned due to administrative reasons in taking up the issue of filing the review petition. The delay is neither wilful nor wanton. The Commission may consider condoning the delay in filing the review petition and hear the same for reviewing the order of the Commission. Having regard to the submissions, the interlocutory application for condoning the delay is reserved for orders.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman