



**TELANGANA STATE ELECTRICITY REGULATORY COMMISSION**  
**5<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad-500 004**

O. P. No. 15 of 2017

Dated: 24. 05.2018

**Present**

Sri. Ismail Ali Khan, Chairman

Between:-

M/s Steel Exchange India Limited,  
Flat No. 303, My Home Laxminivas Apts,  
Greenlands, Ameerpet, Hyderabad – 500 016.

.... Petitioner

AND

1. Telangana State Power Coordination Committee,  
Vidyut Soudha, Hyderabad.
2. Southern Power Distribution Company of Telangana Ltd.,  
Mint Compound, H. No. 6-1-50, Khairathabad,  
Hyderabad – 500 063.
3. Northern Power Distribution Company of Telangana Ltd.,  
H. No. 2-5-31/2, Corporate Office, Vidyut Bhavan,  
Nakkalgutta, Hanamkonda, Warangal – 506 001. .... Respondents

This application came up for hearing on 16.11.2017, 08.12.2017, 30.04.2018 and 19.05.2018. Sri. Challa Gunaranjan, Advocate for the petitioner appeared on 16.11.2017, Sri. T. Vizhay Babu, Advocate representing Sri. Challa Gunjaranjan, Advocate for the petitioner appeared on 08.12.2017, Sri. Challa Gunaranjan, Advocate for the petitioner alongwith Sri. M. Sridhar, Advocate appeared on 30.04.2018 and Sri. N. Phani, Advocate representing Sri. Challa Gunaranjan, Advocate for the petitioner appeared on 19.05.2018. Sri. Y. Rama Rao, standing counsel for the respondents along with Ms. Pravalika, Advocate appeared on 16.11.2017, 08.12.2017 and 30.04.2018 and Ms. Pravalika, Advocate representing Sri. Y. Rama Rao, standing



counsel for the respondents appeared on 08.12.2017. The petition having stood for consideration to this day, the Commission passed the following:

### ORDER

M/s. Steel Exchange India Limited has filed a petition under section 86 (1) (f) of the Electricity Act, 2003 read with Conduct of Business Regulation 2 of 2015 claiming payment of compensation bills payable by the respondents to the petitioner as per power purchase order dated 25.06.2015 for the period from 27.06.2015 to 26.05.2016.

2. The petitioner has sought the following prayer in the petition.

“ to direct the respondents to pay compensation on account of deviation in actual schedule of power by more than 15% of the contracted energy as per the approved open access on monthly basis for the short fall energy for the period 27.06.2015 to 26.05.2016 in terms of the purchase order vide Lr. No. CE (Plg. Comml & Coordn / SE (Comml) / DE (STPP) / PO. No. 30 / 15 – 16 / D. No. 117 dated 25.06.2015 in pursuance to the annual compensation bill vide No. SEIL – TSPCC / RTC / PS – 146 dated 09.07.2016 along with surcharge for late payment @ 1.25% per month.”

3. The respondents have filed their counter affidavit.

4. I have heard the counsel for the petitioner and standing counsel for the respondents and perused the material on record. During the course of hearing on 30.04.2018, this Commission has suggested for settlement of the matter, since the issue is relating to payment of amounts which is factually due and fixed the next date of hearing to 19.05.2018. In this regard, it may be relevant to notice the daily order on 30.04.2018.

“The counsel for the petitioner stated that the issue is with regard to reimbursement of amount due to short term sale. The claim is with regard to Rs.73 lacks alongwith interest. The counsel for the respondent stated that they are inclined to pay the amount due but without interest.

At this stage, the Commission made it clear that this is not an issue which requires adjudication and should have been settled mutually after discussion. However, the counsel for the petitioner agreed to drop the claim of interest if





the payment is made immediately by convincing the petitioner to that extent. In response the counsel for the respondent required an undertaking to that effect so that the DISCOM shall make arrangement for payment of the amount. The counsel for the petitioner suggested that he would place a letter with the respondent immediately upon seeing the record of proceedings and thereafter they should make the payment immediately and not later than 19.05.2018, as otherwise the claim for interest stands restored. Though the counsel for the respondent was at pains to accede to the date, but agreed to make effort to pay the same by the date upon receipt of undertaking.

The matter is adjourned for recording settlement of the matter on 19.05.2018. The parties are directed to comply with the consent expressed at the time of hearing. “

5. Pursuant to the observations made by me, the petitioner gave an undertaking to the respondents expressing willingness to forego the interest. Thereupon, the respondents paid the amount. To that effect, the counsel for the petitioner has filed a memo on 19.05.2018, which is as below.

“The counsel for the respondents stated that they have remitted the amount of Rs.72,99,103/- through RTGS in the account of the petitioner on 18.05.2018. The counsel for petitioner has reported that the petitioner has received the said amount of Rs.72,99,103/- on 18.05.2018 and also filed a memo seeking permission to withdraw the petition.”

6. Accordingly, the petitioner is permitted to withdraw the petition and the petition is dismissed as withdrawn, but in the circumstances without costs.

***This order is corrected and signed on this the 24<sup>th</sup> day of May, 2018.***

**Sd/-  
(ISMAIL ALI KHAN)  
CHAIRMAN**

**//CERTIFIED COPY//**



  
**SECRETARY**  
T.S. Electricity Regulatory Commission  
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RED HILLS, HYDERABAD-500 005.