

No.39/ 2024 dated: 28-06-2024

TAMIL NADU ELECTRICITY REGULATORY COMMISSION**CAUSE LIST for 02-07-2024 (Forenoon)****(Court Sitting will be held through Virtual & Physical Mode)****Venue: Court Hall of the Commission****Time : 11.00 AM**

Sl. No	Case No.	Name of the Parties	Counsel / Party	Remarks
1	M.P.No.1 of 2023	CE/PPP, TANGEDCO Versus M/s.SEPC Power Pvt. Ltd	Adv.Richardson Wilson M/s.J Sagar Associates	For order.
2	M.P.No.41 of 2023	M/s.Ind Bharat PowerGencom Limited Versus (i) CMD/TANGEDCO (ii) M/s.OPG Power Generation Pvt. Limited (iii) MALCO Energy Limited	M/s.Shree Law Services Adv.Richardson Wilson for R-1 Adv.Rahul Balaji for R-2 & R-3	For order.
3	M.P.No.17 of 2024	CE/PPP, TANGEDCO Versus M/s.SEPC Power Pvt. Ltd.	Adv.Richardson Wilson M/s.J Sagar Associates	For order.
4	I.A.No.1 of 2024	CE/GO, TANTRANSCO Ltd Versus M/s.OPG Power Generation Pvt. Limited	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy Adv.Rahul Balaji	To condone the delay of 46 days in filing the review petition for reviewing the order dated 12.03.2024 in D.R.P.No.8 of 2023. For filing counter in I.A.No.1 of 2024.
5	I.A.No.1 of 2024 in D.R.P.No.5 of 2023	Solitaire BTN Solar Private Limited Versus (i) TANGEDCO (ii) SLDC (iii) TANTRANSCO (iv) Power Engineers'	SKV Law Offices Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To issue directions treating the loss of generation of 1985.52 MUs as computed from April 2020 till January 2022 on account of curtailment

		Society of Tamil Nadu (PESOT)	Rep. by Thiru.S.Gandhi, President, PESOT for R-4	of power as deemed generation and to direct TANGEDCO to make payments of Rs.2,46,44,455 along with carrying cost of Rs.82,38,300. For filing counter affidavit in I.A.No.1 of 2024.
6	D.R.P.No.7 of 2024	M/s.SEP Energy Pvt. Limited M/s.Lemon Tree Hotels Ltd M/s.Shimona Hotels Pvt Ltd Versus (i) CMD/TANGEDCO (ii) CE/NCES (iii) SE/Tirunelveli EDC (iv) CFC/Revenue	MSA Partners Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct TANGEDCO to adjust the outstanding amount of Rs.26,98,179/- due to SEP Energy against the consumption charges / open access charges payable by petitioners No.2 & 3 respectively, along with interest at the rate of 18% p.a. amounting to Rs.37,72,841/- and other orders. For counter.
7	D.R.P.No.9 of 2024	M/s.OPG Power Generation Pvt. Ltd. Versus (i) CMD / TANGEDCO (ii) CE/IPP/PPP, TANGEDCO (iii) SE/SLDC, TANTRANSCO	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To declare that the bill dispute Notices issued by the Respondent dated 26.05.2023 & 26.06.2023 are illegal and contrary to the terms of the PPA and direct the Respondents to pay the petitioner an amount of Rs.1,66,501 towards incentive / capacity charges for declared capacity on 16.5.2023 and direct the respondent to make payment of Rs.1,46,77,682 for the power supplied by the petitioner from 19.4.2023 to 16.5.2023 under the pass through mechanism during the operation of MoP directions dated 5.5.2022 and 20.2.2023

				and other others. For counter.
8	D.R.P.No.14 of 2023	M/s.Karthikeya Paper & Boards Limited Versus (i) CMD/TANGEDCO (ii) SE/Gobichettipalayam EDC	Adv.R.S.Pandiyaraj Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To quash the 2nd respondent's impugned demand notice Lr.No.SE/GEDC/DFC/F. HT 108/F.DKT/D030/2017 dt.22.08.2017 and quash the same as illegal, arbitrary and without authority of law and contrary to the orders of the Commission. For reporting status.
9	D.R.P.No.15 of 2023	M/s.Karthikeya Paper & Mills Pvt. Limited Versus (i) CMD/TANGEDCO (ii) SE/Gobichettipalayam EDC	Adv.R.S.Pandiyaraj Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To quash the 2nd respondent's impugned demand notice Lr.No.SE/GEDC/DFC/F. HT 108/F.DKT/D032/2017 dt.22.08.2017 and quash the same as illegal, arbitrary and without authority of law and contrary to the orders of the Commission. For reporting status.
10	D.R.P.No.16 of 2023	M/s.Karthikeya Paper & Mills Pvt. Limited Versus (i) CMD/TANGEDCO (ii) SE/Gobichettipalayam EDC	Adv.R.S.Pandiyaraj Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To quash the 2nd respondent's impugned demand notice Lr.No.SE/GEDC/DFC/F. HT 108/F.DKT/D031/2017 dt.22.08.2017 and quash the same as illegal, arbitrary and without authority of law and contrary to the orders of the Commission. For reporting status.

11	M.P.No.6 of 2024	<p>M/s.Karma Energy Ltd (Formerly Greenweiz Projects Ltd)</p> <p>Versus</p> <p>(i) CMD/TANGEDCO (ii) CE/NCES (iii) SE/Tuticorin EDC (iv) SE/Chennai EDC</p>	<p>Adv.Rahul Balaji</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To impose penalty upon the respondents in accordance with section 142 of the Electricity Act, 2003 for non-compliance of the order of the Commission dated 28.12.2021 in D.R.P.No.4 of 2016 and consequently direct the respondents to make payments of the entire sum as directed in the order.</p> <p>For reporting compliance.</p>
12	M.P.No.7 of 2024	<p>M/s.Karma Energy Ltd (Formerly Mitra Fidelity Ltd)</p> <p>Versus</p> <p>(i) CMD/TANGEDCO (ii) CE/NCES (iii) SE/Tuticorin EDC (iv) SE/Chennai EDC</p>	<p>Adv.Rahul Balaji</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To impose penalty upon the respondents in accordance with section 142 of the Electricity Act, 2003 for non-compliance of the order of the Commission dated 28.12.2021 in D.R.P.No.3 of 2016 and consequently direct the respondents to make payments of the entire sum as directed in the order.</p> <p>For reporting compliance.</p>
13	M.P.No.8 of 2024	<p>M/s.Karma Energy Ltd (Formerly Tapi Energy Projects Ltd)</p> <p>Versus</p> <p>(i) CMD/TANGEDCO (ii) CE/NCES (iii) SE/Tuticorin EDC (iv) SE/Chennai EDC</p>	<p>Adv.Rahul Balaji</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To impose penalty upon the respondents in accordance with section 142 of the Electricity Act, 2003 for non-compliance of the order of the Commission dated 28.12.2021 in D.R.P.No.5 of 2016 and consequently direct the respondents to make payments of the entire sum as directed in the order.</p> <p>For reporting compliance.</p>

14	M.P.No.15 of 2024	<p>M/s.OPG Power Generation Pvt. Limited Versus (i) CMD/TANGEDCO (ii) Chairman / TANTRANSCO (iii) SE/Chennai EDC/North</p>	<p>Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To impose penalty upon the respondents in accordance with section 142 of the Electricity Act, 2003 for non-compliance of the orders of the Commission dated 15.12.2020 in D.R.P.No.12 of 2019 and consequently direct the respondents to make payments of the entire sum as directed in the said orders. For reporting compliance.</p>
15	M.P.No.14 of 2024	<p>Thiru.N.Muthukumaar Versus (i) CMD/TANGEDCO (ii) CFC / Revenue (iii) CE/NCES (iv) SE/Tiruppur EDC</p>	<p>Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To impose penalty upon the respondents in accordance with section 142 of the Electricity Act, 2003 for non-compliance of the orders of the Commission dated 07.12.2021 in D.R.P.No.12 of 2021 and consequently direct the respondents to make payments of the entire sum as directed in the said orders. For filing reply to the memo filed by the respondents.</p>
16	M.P.No.3 of 2024	<p>CFC/Revenue, TANGEDCO</p>	<p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To waive the belated payment surcharge amounting to Rs.137.13 crores as on 31.03.2023 in respect of all local bodies on payment of 50% of the outstanding dues by them. For further hearing.</p>

17	M.P.No.12 of 2024	Chief Financial Controller/Regulatory Cell, TANGEDCO	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To approve the petition seeking True-up of FY 2022-23 as per the provisions of TNERC (Terms and Conditions of Tariff) Regulations, 2005 and MYT Regulations, 2009 and to approve the actual revenue gap / surplus arising on account of truing up for FY 2022-23 without creating any regulatory asset for uncovered gap of FY 2022-23 and other orders. For further hearing.
18	M.P.No.19 of 2024	Chief Financial Controller / Regulatory Cell, TANGEDCO	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Seeking approval for determination of additional surcharge payable by all open access consumers who purchase power through 3rd party sale and power exchanges viz., IEX, PXI etc for the period from 01.04.2024 to 30.09.2024 and hold that the obligation of the State Distribution Licensee in terms of power purchase agreements has been and continues to be stranded and there is an unavoidable obligation and incidence to bear fixed costs consequent to such agreements and determine the additional surcharge of Re.0.34 per unit payable by open access consumers on adjusted quantum of power purchase

				through open access. For filing affidavit and for further hearing.
19	D.R.P.No.5 of 2021	M/s.Arkey Energy (Rameswaram) Limited Versus (i) CMD/TANGEDCO Ltd (ii) CE/GTS, TANGEDCO (iii) SE/GTS, Ramnad Circle	Adv.Anirudh Krishnan Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct the respondents to pay a total sum of Rs.128 crores along with interest towards illegal deduction, compensation for deviation 15% of the contracted value, power supplied to the captive consumers, power supplied 10% over and delayed payment along with interest. For arguments as a last chance.
20	D.R.P.No.7 of 2022	M/s.Arkey Energy (Rameswaram) Limited Versus (i) Principal Secretary to Govt., Energy Department, GoTN (ii) CMD/TANGEDCO	Adv.Anirudh Krishnan Adv.Richardson Wilson	To offset the adverse financial impact on the generating company as a result of operating and maintaining the power plant as per the directions of the GoTN under section 11(1) and determine the price payable for the energy that was injected during the year 2009-10 and 2010-11 into the Tamil Nadu Grid for which payments to the tune of Rs.92.10 crores have not been made by the respondent and direct the 2nd respondent herein to make the said payment to the petitioner herein. For respondents side arguments.

21	M.P.No.6 of 2023	M/s.SEPC Power Private Limited Versus TANGEDCO Ltd	M/s.J Sagar Associates Adv.Richardson Wilson	To approve the actual capital cost incurred by the petitioner as being the "Trued Up Capital Cost" in terms of Article 3.9, Article 12 and Article 14 of the PPA read with Regulations 18 to 20 and 90 of the TNERC - Tariff Regulations 2005 and to approve the revised tariff as per the Trued Up Capital Cost which shall be applicable from 3rd anniversary of the CoD. For arguments.
22	D.R.P.No.3 of 2024	M/s.SEPC Power Pvt. Limited Versus TANGEDCO	M/s.J Sagar Associates Adv.Richardson Wilson	Hold and declare that the petitioner is entitled to fixed cost for non-supply of power in periods mentioned in Para-2 above as this situation of non-supply arose only due to factors beyond SEPC's control and Direct TANGEDCO to pay fixed charges to SEPC for the period of non-supply in FY 2022-2023 i.e., Rs.243,59,11,020 along with pendente lite interest, and extend the term of PPA by 4 months and pass any other orders. For arguments.
23	D.R.P.No.6 of 2024	M/s.Shri Harikrishna Cotton Mills Pvt. Limited Versus (i) CE/NCES, TANGEDCO (ii) SE/Dindigul EDC (iii) SE/Palladam EDC	Adv.R.S.Pandiyaraj Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct the respondents to revise the EWA by ordering to expunge the inconsistent portions of the EWA and further direct the respondents to execute a fresh EWA in terms of Para 5.5.8

				of the order of the Commission. For arguments.
24	R.A.No.1 of 2024	M/s.KR Wind Energy LLP Versus (i) CE/NCES, TANGEDCO (ii) CFC/Revenue, TANGEDCO (iii) SE/Dindigul EDC	Adv.R.S.Pandiyaraj Adv.Richardson Wilson	Direct the respondents to give adjustment of the banked energy available in the Group Captive Generator's account, maintained in the generation end EDC and to treat the unutilised banked energy for encashment at 75% of the relevant tariff rate as per the Wind Tariff Orders issued by the Commission. Remand made by Hon'ble APTEL in its order dated 30.11.2023 in Appeal No.853 of 2023 setting aside the orders of the Commission in D.R.P.No.1 of 2023 for consideration afresh in accordance with law. For arguments.
25	D.R.P.No.10 of 2023	M/s.Krishnaveni Carbon Products Pvt Limited Versus (i) CE/NCES, TANGEDCO (ii) CFC/Revenue (iii) SE/Tirunelveli EDC	Adv.R.S.Pandiyaraj Adv.Richardson Wilson	To quash the 3rd respondent's impugned demand notice No.SE/TEDC/TIN/DFC/AO/WIND/AS/F.OASoftware/ D.No.354/23 dt.08.05.2023. For arguments.
26	I.A.No.1 of 2023 & D.R.P.No.18 of 2023	M/s.Sri Gomathy Mills Pvt. Limited Versus (i) CE/NCES, TANGEDCO (ii) CFC/Revenue, TANGEDCO (iii) SE/Tirunelveli EDC	Adv.R.S.Pandiyaraj Adv.Richardson Wilson	Direct the 3rd respondent not to take any coercive action of disconnecting the petitioner's HTSC No.4 till this matter is finally disposed of and also quash the impugned demand notice dated 10.03.2023 for

				Rs.1,03,99,200/- and the BOAD Audit Slip No.28 dt.1.8.2019 as illegal, arbitrary and contrary to the Wind Tariff Orders. For arguments.
27	M.P.No.39 of 2023	National Solar Energy Federation of India Versus (i) CMD/TANGEDCO Ltd (ii) SLDC (iii) TANTRANSCO Ltd (iv) MNRE	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To take the report filed by POSOCO on record and issue appropriate directions in terms of the directions of the APTEL in Appeal No.197 of 2019 and consequently direct the respondents to forthwith pay compensation to the members of the petitioner's association in accordance with the directions of the APTEL after taking into account the findings of the POSOCO in its report before this Commission and pass such further or other directions. For arguments.

(By order of the Commission)

Secretary
Tamil Nadu Electricity
Regulatory Commission