

No.41/ 2024 dated: 05-07-2024

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION****CAUSE LIST for 09-07-2024 (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	D.R.P.No.12 of 2022	The Tata Power Co. Limited Versus i) CMD/TANGEDCO ii) CE/NCES, TANGEDCO iii) SE/Udumalpet EDC	SKV Law Offices  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	For order.
2	M.P.No.28 of 2023	M/s.Techno Electric & Engg. Co. Limited Versus (i) CMD/TANGEDCO (ii) CFC/General	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	For order.
3	R.A.No.3 of 2024	(i) M/s.Sakthi Sugars Limited (ii) M/s.Tamil Nadu Newsprint and Papers Limited Versus TANGEDCO	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To issue an order for a separate categorization of power plants who are supplying bagasse fibre to TNPL and to order the tariff under fossil fuel based co-generation during crushing season and normal Tariff during non-crushing season and other orders.  Remand made by Hon'ble APTEL in its order dated 30.05.2024 in Appeal No.294 of 2016 setting aside the orders of the Commission in P.P.A.P.No.1 of 2011 for consideration afresh in accordance with law. For hearing.

4	M.P.No.20 of 2024	Chief Financial Controller / TANTRANSCO Ltd	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	<p>Seeking approval for the true-up for FY 2021-2022 as per the provisions of the Tariff Regulations, 2005 and MYT Regulations, 2009 and to approve the Final True-up for FY 2021-2022 and to approve the actual revenue Gap / Surplus arising on account of truing-up for the FY 2021-22 and to approve the total recovery of True-up for FY 2021-22 and other related charges along with other claims as proposed by TANTRANSCO and other orders.</p> <p>For filing affidavit and for further hearing.</p>
5	M.P.No.6 of 2023	M/s.SEPC Power Private Limited Versus TANGEDCO Ltd	M/s.J Sagar Associates  Adv.Richardson Wilson	<p>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.</p> <p>For filing reply by the respondent and for further hearing.</p>
6	M.P.No.9 of 2024	M/s.Fortune Integrated Assets Finance Limited (Formerly Wind Construction Ltd) Versus	Adv.Rahul Balaji	<p>To impose penalty upon the respondents in accordance with section 142 of the Electricity Act, 2003</p>

		<p>(i) CMD/TANGEDCO  (ii) Director / Finance  (iii) SE/Solar Energy/NCES</p>	<p>Adv.N.Kumanan &amp;  Adv.A.P.Venkatachalapathy</p>	<p>for non-compliance of the orders of the Commission dated 12.04.2022 in D.R.P.No.16 of 2021 and R.P.No.5 of 2022 dated 13.07.2023, and consequently direct the respondents to make payments of the entire sum as directed in the said orders.</p> <p>For filing reply to the memo by the respondent and reconciliation of accounts.</p>
7	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 &amp;  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.</p> <p>For reporting compliance.</p>
8	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 &amp;  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.</p> <p>For verification of accounts and for further hearing.</p>

<b>Batch cases - In the matter of levy of penalty on alleged excess drawal of power – For filing rejoinder by the petitioner as a last chance.</b>				
9	T.A.No.1 of 2022	M/s.Sundaram Clayton Limited Versus (i) CMD/TANGEDCO (ii) SE/CEDC/West (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates  Adv.Richardson Wilson for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25357 of 2010 trd. by Hon'ble High Court of Madras in the matter of levy of penalty on alleged excess drawal of power.
10	T.A.No.2 of 2022	M/s.Sundaram Clayton Limited Versus (i) CMD/TANGEDCO (ii) SE/CEDC/West (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates  Adv.Richardson Wilson for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25245 of 2010 trd. by Hon'ble High Court of Madras in the matter of levy of penalty on alleged excess drawal of power.
11	T.A.No.3 of 2022	M/s.Sundaram Clayton Limited Versus (i) CMD/TANGEDCO (ii) SE/Dharmapuri EDC (iii) Arkay Energy (Rameswaram) Ltd	M/s.Sarvabhauman Associates  Adv.Richardson Wilson for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25246 of 2010 trd. by Hon'ble High Court of Madras in the matter of levy of penalty on alleged excess drawal of power.
12	T.A.No.4 of 2022	M/s.Lucas TVS Limited Versus (i) Chairman / TANGEDCO (ii) SE/Chennai EDC/West (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates  Adv.Richardson Wilson for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25247 of 2010 trd. by Hon'ble High Court of Madras in the matter of levy of penalty on alleged excess drawal of power.
13	T.A.No.5 of 2022	M/s.Sundaram Fasteners Limited Versus (i) Chairman / TANGEDCO (ii) SE/CEDC/West (iii) Arkay Energy (Rameswaram) Limited	M/s.Sarvabhauman Associates  Adv.Richardson Wilson for R-1 & R-2 Adv.Mahasweta for R-3	W.P.No.25248 of 2010 trd. by Hon'ble High Court of Madras in the matter of levying penalty on alleged excess drawal of power.

14	D.R.P.No.5 of 2021	<b>M/s.Arkey Energy (Rameswaram) Limited Versus</b> <b>(i) CMD/TANGEDCO Ltd</b> <b>(ii) CE/GTS, TANGEDCO</b> <b>(iii) SE/GTS, Ramnad Circle</b>	<b>Adv.Anirudh Krishnan</b>  <b>Adv.N.Kumanan &amp; Adv.A.P.Venkatachalapathy</b>	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.
15	D.R.P.No.7 of 2022	<b>M/s.Arkey Energy (Rameswaram) Limited Versus</b> <b>(i) Principal Secretary to Govt., Energy Department, GoTN</b> <b>(ii) CMD/TANGEDCO</b>	<b>Adv.Anirudh Krishnan</b>  <b>Adv.Richardson Wilson</b>	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 arguments of the respondent.
16	D.R.P.No.2 of 2023	<b>NLC India Limited Versus</b> <b>(i) CMD/TANGEDCO</b> <b>(ii) CE/NCES, TANGEDCO</b> <b>(iii) CE/Transmission</b> <b>(iv) CE/SLDC</b>	<b>HSB Advocates</b>  <b>Adv.N.Kumanan &amp; Adv.A.P.Venkatachalapathy</b>	Direct the respondents to comply with the order of the Commission dt.5.4.2022 in M.P.No.1 of 2021 and to pay to the petitioner a sum of Rs.51,08,16,706/- for the period upto June 2022 as a compensation for

				issuing backing down instructions to Renewable Energy plants for reasons other than grid security. For filing affidavit and arguments.
17	M.P.No.25 of 2023	M/s.Vijay Velavan Spinning Mills Private Limited Versus (i) TANGEDCO (ii) SE/Palladam EDC	Adv.R.S.Pandiyaraj  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct the Respondents, to revise the Energy Wheeling Agreement, by ordering to expunge the inconsistent portions of the Energy Wheeling Agreement as contained in page No.3 and Page No.10 in para 24 IV and further direct the Respondents, to execute a fresh Energy Wheeling Agreement in terms of Para 5.5.8 of the Order of the Hon'ble Commission, as contained in Order No.9 of 2020 dated 16.10.2020 and further direct the Respondents to accept the invoice of the petitioner. For arguments.
18	M.P.No.26 of 2023	Naveen Cotton Mill Private Limited Versus (i) TANGEDCO (ii) SE/Tirunelveli EDC (iii)SE/ TANGEDCO	Adv.R.S.Pandiyaraj  Adv.N.Kumanan Adv.A.P.Venkatachalapathy	Direct the Respondents, to revise the Energy Wheeling Agreement, by ordering to expunge the inconsistent portions of the Energy Wheeling Agreement as contained in page No.6 Clause 21 and further direct the Respondents, to execute a fresh Energy Wheeling Agreement in terms of Para 5.5.8 of the Order of the

				Hon'ble Commission, as contained in Order No.9 of 2020 dated 16.10.2020 and further direct the Respondents to accept the invoices of the petitioner. For arguments.
19	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.
20	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.

21	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.OASoft ware/ D.No.354/23 dt.08.05.2023. For arguments.
22	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.
23	D.R.P.No.12 of 2023	M/s.Narbheram Solar TN Private Limited Versus (i) CMD/TANGEDCO (ii) CE/NCES (iii) SLDC / TANTRANSCO	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To refix the condition of achieving minimum 17% CUF by fixing an appropriate band and direct to restrain the respondents from issuing backing down / curtailment for any reason other than grid safety and security issues and also direct the respondents to refund an amount of Rs.13,51,82,821 deducted towards CUF penalty for the financial year 2019-2020 and 2020-2021. For reply arguments of the respondent.

24	D.R.P.No.13 of 2023	M/s.NVR Energy Pvt Limited Versus (i) CMD/TANGEDCO (ii) CE/NCES (iii) SLDC / TANTRANSCO	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To review the working and applicability of Clause-6 of the PPA with regard to CUF and working of such provision, including revising the CUF band to 12% - 19% to cover variations and direct to restrain the respondents from issuing backing down / curtailment for any reason other than grid safety and security issues and also direct the respondents to refund an amount of Rs.11,53,11,360 deducted towards CUF penalty for the financial year 2019-2020 and 2020-2021. For reply arguments of the respondent.
25	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 arguments on Interlocutory Application (I.A.)
<b>Batch cases - In the matter of adjustment of lapsed units – For filing written submission and arguments</b>				
26	D.R.P.No.5 of 2024	M/s.ARS Energy Private Ltd Versus (i) SE/Chennai North EDC, TANGEDCO (ii) CMD/TANGEDCO (iii) Chairman / TANTRANSCO (iv) Director (Oprns.), TANTRANSCO Ltd (v) Director(Distn.), TANGEDCO	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To quash the impugned demand letter dated 30.1.2024 seeking to levy a sum of Rs.2,71,02,948/- towards "Grid Availability Charges" as well as the audit slips on the basis of which the said impugned demand was issued, as the letter and claims therein are illegal, barred by limitation

				and have been issued without authority of law. For filing written submission.
27	T.A.No.7 of 2022	Kamachi Industries Limited Versus (i)Chairman/TANTRANS CO (ii) MD/TANTRANS CO (iii) CE/Grid Operations (iv) Director/Operations & ors.	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.475 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units. For arguments.
28	T.A.No.8 of 2022	M/s.ARS Energy Pvt. Limited Versus (i) Chairman / TANTRANS CO (ii) MD/TANTRANS CO (iii) CE/Grid Operations (iv) Director/Operations (v) Director/Distribution (vi) SE/Chennai EDC/North	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.11480 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units. For arguments.
29	T.A.No.9 of 2022	Suryadev Alloys & Powers Pvt. Limited  Versus (i)Chairman / TANGEDC (ii)MD/TANTRANS CO & Ors.	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.12062 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units. For arguments.
30	T.A.No.10 of 2022	Tulsyan NEC Limited Versus (i) Ch/TANTRANS CO (ii) MD/TANTRANS CO (iii) CE/Grid Operations (iv) Director/Operations (v) Director/Distribution (vi) SE/Chennai EDC/North	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.12083 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units. For arguments.
31	T.A.No.11 of 2022	Kamachi Industries Limited Versus (i) Chairman/ TANTRANS CO (ii) MD/TANTRANS CO (iii) CE/Grid Operations (iv) Director/Operations	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.12584 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units. For arguments.

32	T.A.No.12 of 2022	OPG Power Generation Pvt. Limited Versus (i) Ch./TANTRANSCO (ii) MD/TANTRANSCO & Ors.	Adv.Rahul Balaji  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	W.P.No.15861 of 2021 trd. by Hon'ble High Court of Madras in the matter of adjustment of units. For arguments.
33	D.R.P.No.3 of 2023	M/s.MALCO Energy Limited Versus (i) CMD/TANGEDCO (ii) CE/PPP (iii) SE/Mettur EDC (iv) SLDC	Adv.Rahul Balaji  Adv.Richardson Wilson	To set aside the impugned communications dated 13.02.2015 and 24.04.2015 and the consequential demand of the 3rd respondent letter dt.29.06.2015 demanding a sum of Rs.8,58,23,430/- and pass other orders. For arguments.
34	D.R.P.No.4 of 2023	Tamil Nadu Newsprint & Papers Limited Versus (i) CMD/TANGEDCO (ii) CE/PPP (iii) SE/Karur EDC (iv) SLDC	Adv.Rahul Balaji  Adv.Richardson Wilson	To set aside the impugned communications dated 13.02.2015 and 24.04.2015 and the consequential demand of the 3rd respondent letter dt.21.07.2016 demanding a sum of Rs.2,64,97,493/- and pass other orders. For arguments.
35	D.R.P.No.20 of 2023	M/s.SEP Energy Pvt. Ltd Versus i) CE/NCES, TANGEDCO ii) CFC/Revenue iii) SE/Tirunelveli EDC iv) CMD/TANGEDCO	M/s.MSA Partners  Adv. N.Kumanan & Adv.A.P.Venkatachalapathy	Hold and direct TANGEDCO to compensate and pay the principal along with interest which totalling to Rs.2,53,97,360 towards the loss caused to the petitioner. For arguments of the respondents.

(By order of the Commission)

Secretary  
Tamil Nadu Electricity  
Regulatory Commission