

No.75 / 2023 dated: 09-01-2024TAMIL NADU ELECTRICITY REGULATORY COMMISSIONCAUSE LIST for 11-01-2024Venue: Court Hall of the CommissionTime : 11.00 AM

S. No	Case No.	Name of the Parties	Counsel / Party	Remarks
1	M.P.No.41 of 2023	M/s.Ind Bharat Power Gencom 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	To initiate proceedings against the 1st Respondent for wilful, tenacious and continuing non-compliance and contravention of the order of the Commission in R.A.No.3 of 2020 dated 09.03.2021 and R.P.No.4 of 2021 dated 06.07.2023 under section 142 & 146 of the Electricity Act, 2003. For admission.
2	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 admission.
3	T.A.No.1 of 2024	M/s.Kamachi Industries Limited Versus (i) CMD/TANGEDCO (ii) SE/Chennai EDC/North	Adv.M.A.Mudimannan Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To quash the demand notice dated 05.05.2020 issued by the 2nd respondent levying a sum of Rs.25,30,222 on the petitioner as the alleged dues payable for open

				<p>access charges for the month of April 2020.</p> <p>Hon'ble High Court of Madras in its order dated 19.09.2023 transferred the matter to the Commission in the matter of start-up charges.</p> <p>For admission.</p>
4	I.A.No.1 of 2024 in M.P.No.19 of 2023	<p>CFC/D&D, TANGEDCO</p> <p>Versus</p> <p>i)M/s.Ind-Bharat Power Gencom Limited</p> <p>ii) Thiru.Rajesh Chilale, Resolution Professional of IBPGL & 174 captive users</p>	<p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p> <p>M/s.Shree Law Services</p>	<p>To declare that M/s.Ind Bharat Powergencom Ltd has lost captive status for the financial year 2017-2018.</p> <p>For admission of I.A. filed by the petitioner for including 175 Captive Users as other respondents.</p>
5	I.A.No.2 of 2023 in D.R.P.No.18 of 2021	<p>M/s. Amarjothi Spinning Mills Limited</p> <p>Versus</p> <p>(i) CMD/TANGEDCO</p> <p>(ii) Director /Finance</p> <p>(iii) SE/Theni EDC</p>	<p>Adv.R.S.Pandiyaraj</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>Direct the respondents to forthwith make payment of a sum of Rs.47,83,750/- being the sum due and payable to the petitioner against delayed payments made by TANGEDCO for power supplied.</p> <p>For filing counter in I.A.No.2 of 2023.</p>
6	D.R.P.No.19 of 2023	<p>M/s.Kamuthi Renewable Energy Limited</p> <p>Versus</p> <p>(i) CMD/TANGEDCO</p> <p>(ii) CE/NCES, TANGEDCO</p>	<p>Adv.Rahul Balaji</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>Declare that under law, the applicable Regulations and the "Comprehensive Tariff Order on Solar Power, the petitioner is entitled to and has correctly accounted for payments made against its energy bills under the EPA</p>

				and the respondent is required to pay the interest stipulated under the EPA and direct the respondents to pay Rs.41,10,50,492/- including interest as on 11.10.2023 and payable against LPS and further pendente lite interest. For counter.
7	M.P.No.24 of 2022	CFC/Deposits & Documentation, TANGEDCO Versus M/s.Sheenlac Paints Ltd	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy Adv.Rahul Balaji	To declare that the respondent is not a Captive Generating Plant for the FYs 2015-2016, 2016-2017, 2017-2018 and 2018-2019. For counter.
8	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 rejoinder.
9	D.R.P.No.13 of 2023	M/s.NVR Energy Pvt Limited Versus (i) CMD/TANGEDCO (ii) CE/NCES	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

		(iii) SLDC / TANTRANSCO		<p>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.</p> <p>For rejoinder.</p>
10	M.P.No.28 of 2023	<p>M/s.Techno Electric & Engg. Co. Limited Versus (i) CMD/TANGEDCO (ii) CFC/General</p>	<p>Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To issue an order of interim stay of the impugned letter No.CFC/REV/FC/REV/AO/H/F.APPC/D.No.291/2022 dt.01.04.2022 capping the APPC for the FY 2021-22 at Rs.2.017 per unit and all proceedings pursuant and consequent thereto in order that the full APPC price and exercise Regulatory power and call for the records comprised in the impugned Letter dated 01.04.2022 capping the APPC rate for the FY 2021-22 at Rs.2.017 per unit and quash the same as being illegal and without authority of law and strictly comply with</p>

				the regulations and directives fixing the APPC by this Commission. For rejoinder.
11	M.P.No.13 of 2022	M/s.Grace Infrastructure Pvt. Limited Versus (i) CMD/TANGEDCO Ltd (ii) Director (Finance) (iii) CE/NCES (iv) SE/Tirunelveli EDC (v) SE/Theni EDC	M/s.Rugan & Arya Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	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 19.1.2022 in D.R.P.No.7 of 2021 and consequently direct the respondents to make payments of the entire sum of Rs.28,07 crores along with interest @ 12% p.a. For filing affidavit by the respondents.
12	M.P.No.38 of 2023	CFC/Deposits & Documentation, TANGEDCO Versus M/s.KAS Onsite Power Solutions LLP	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy Adv,Rahul Balaji	To declare that the petitioner lost Captive Status for the FY 2022-2023. For further hearing.
13	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.

14	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 arguments.
15	M.P.No.22 of 2022	CFC/Deposits & Documentation, TANGEDCO Versus M/s.MOD Forge Pvt. Ltd	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy Adv.Rahul Balaji	To declare that the respondent is not a Captive Generating Plant for the FY 2014-2015 and 2016-2017. For arguments.
16	M.P.No.13 of 2023	M/s.Allsec Technologies Limited Versus (i) Chairman / TANGEDCO (ii) SE/CEDC/South (iii) Secretary to Govt., Energy Department	Adv.Aviral Dhirendra Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct the respondents to not take any coercive measures including disconnection of electricity in respect of Unit-1 and Unit-2 of the petitioner and to quash the impugned demand notices dated 14.12.2022 & 02.01.2023 as arbitrary and illegal and set aside letters dated

				31.07.2007, 03.01.2008 & notices and direct the respondents No.1 to treat the petitioner's unit-1 and unit-2 under HT Tariff-IA for the period prior to 01.08.2020. For arguments.
17	M.P.No.14 of 2023	M/s.Allsec Technologies Limited Versus (i) Chairman / TANGEDCO (ii) SE/CEDC/South (iii) Secretary to Govt., Energy Department	Adv.Aviral Dhirendra Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct the respondents to not take any coercive measures including disconnection of electricity in respect of Unit-1 and Unit-2 of the petitioner and to quash the impugned demand notice dated 07.03.2023 as arbitrary and illegal and set aside letters dated 31.07.2007, 03.01.2008 & notices and direct the respondents No.1 to treat the petitioner's unit-1 and unit-2 under HT Tariff-IA for the period prior to 01.08.2020. For arguments.
18	M.P.No.23 of 2023	M/s.Christian Medical College Versus (i) CMD/TANGEDCO (ii) SE/Vellore EDC	S.Ramasubramaniam & Associates Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To set aside and declare as illegal, the letter No.SEV/RCS/AS/AA G's Audit 2004, dated 20.08.2004 issued by the 2nd Respondent and consequently direct the Respondents to classify the HTSC No.1095 of the petitioner under the

				<p>Tariff for Educational Institutions instead of the Commercial Tariff.</p> <p>For arguments.</p>
19	M.P.No.24 of 2023	<p>M/s.Christian Medical College</p> <p>Versus</p> <p>(i) CMD/TANGEDCO</p> <p>(ii) SE/Vellore EDC</p>	<p>S.Ramasubramaniam & Associates</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To set aside and declare as illegal, the letter No.SEV/Comml/EE/T/AEE1/SFMC/CR.No.7887/2002 dt.27.09.2002 issued by the 2nd Respondent and consequently direct the Respondents to classify the HTSC No.1001, 1003, 1007 and 1059 of the petitioner under the Tariff for Educational Institutions instead of the Commercial Tariff.</p> <p>For arguments</p>
20	M.P.No.25 of 2023	<p>M/s.Vijay Velavan Spinning Mills Private Limited</p> <p>Versus</p> <p>(i) TANGEDCO</p> <p>(ii) SE/Palladam EDC</p>	<p>Adv.R.S.Pandiyaraj</p> <p>Adv.N.Kumanan</p> <p>Adv.A.P.Venkatachalapathy</p>	<p>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</p>

				No.9 of 2020 dated 16.10.2020 and further direct the Respondents to accept the invoice of the petitioner. For arguments.
Batch cases - In the matter of adjustment of lapsed units – For arguments				
21	T.A.No.7 of 2022	Kamachi Industries Limited Versus (i) Chairman/TANTRANSCO (ii) MD/TANTRANSCO (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.
22	T.A.No.8 of 2022	M/s.ARS Energy Pvt. Limited Versus (i) Chairman / TANTRANSCO (ii) MD/TANTRANSCO (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.
23	T.A.No.9 of 2022	Suryadev Alloys & Powers Pvt. Limited Versus (i) Chairman / TANGEDCO (ii) MD/TANTRANSCO & 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
24	T.A.No.10 of 2022	Tulsyan NEC Limited Versus (i) Ch/TANTRANSCO (ii) MD/TANTRANSCO (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.
25	T.A.No.11 of 2022	Kamachi Industries Limited Versus (i) Chairman/TANTRANSCO (ii) MD/TANTRANSCO (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.

26	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.
27	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.
28	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.
29	M.P.No.17 of 2023	CFC/D&D, TANGEDCO Versus M/s.Citron Eco Power Pvt Limited	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy Adv.R.S.Pandiyaraj	To declare that M/s.Citron Eco Power Pvt Limited has lost captive status for the financial year 2016-2017. For arguments of the petitioner.
30	D.R.P.No.2 of 2023	NLC India Limited Versus (i) CMD/TANGEDCO (ii) CE/NCES, TANGEDCO (iii) CE/Transmission (iv) CE/SLDC	HSB Advocates Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	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

				<p>June 2022 as a compensation for issuing backing down instructions to Renewable Energy plants for reasons other than grid security.</p> <p>For arguments of the petitioner.</p>
31	D.R.P.No.17 of 2023	<p>M/s.SEPC Power Pvt. Limited</p> <p>Versus</p> <p>TANGEDCO</p>	<p>M/s.J Sagar Associates</p> <p>Adv.Richardson Wilson</p>	<p>Hold and declare that as per Section 11(2) of the Electricity Act, 2003, SEPC is entitled to receive actual cost of generation of power supplied under section 11(1) including supply periods and direct the TANGEDCO to compensate a total sum of Rs.122,69,82, 905/- crores till 12.06.2023 towards actual cost of generation for power supplied including interest of Rs.18,65,27,398/-.</p> <p>For arguments.</p>
32	M.P.No.1 of 2023	<p>CE/PPP, TANGEDCO</p> <p>Versus</p> <p>M/s.SEPC Power Pvt. Ltd</p>	<p>Adv.Richardson Wilson</p> <p>M/s.J Sagar Associates</p>	<p>To ratify the power dispatched from M/s.SEPC Power Private Ltd to the grid on pass through as per the MoP guidelines dt.5.5.2022 and to fix the tariff for the power supplied from 30.04.2022 to 30.11.2022 by considering the payment already made by relaxing certain provisions of PPA / Addendum-3 as a one-time measure.</p> <p>For arguments.</p>

33	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 filing of counter affidavit by the respondent.
34	M.P.No.30 of 2023	CE/PPP, TANGEDCO Versus M/s.SEPC Power Pvt. Limited	Adv.Richardson Wilson M/s.J. Sagar Associates	To ratify / approve the power dispatched from M/s.SEPC Power Pvt Limited - 525 MW to the grid on pass through basis as per the guidelines issued by MoP under section 11 of the Electricity Act and to fix the tariff for the power supplied from 16.04.2023 to 30.09.2023 as per the tariff fixed by MoP. For arguments.

(By order of the Commission)

Secretary
Tamil Nadu Electricity
Regulatory Commission