

No.2/ 2024 dated: 09-02-2024

TAMIL NADU ELECTRICITY REGULATORY COMMISSION**CAUSE LIST for 13-02-2024****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.43 of 2023	CE/PPP, TANGEDCO	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To accord approval to float a medium term tender under FOO guidelines with the deviations proposed in the Bidding Documents for procurement of 1000 MW power during peak hours (18-24 hrs) from Thermal power generating stations for the period from 01.03.2024 to 28.02.2029. For filing affidavit and for admission.
2	M.P.No.5 of 2024	Chief Financial Controller / Deposits & Documentation, TANGEDCO Versus (1) TCP Limited & 80 others	Adv.Richardson Wilson	Declare that the 1st respondent generator M/s.TCP Limited has lost the Captive Generating Plant status under Electricity Act, 2003 for the financial years 2014-2015 to 2021-2022 and consequently declare that the captive users of the said generator are not captive users within the meaning of Rule 3 of the Electricity Rules, 2005 and further declare that the said users are liable to pay the Cross Subsidy Surcharge and Additional Surcharge for adjusted electricity and other orders. For admission.

3	M.P.No.6 of 2024	<p>M/s.Karma Energy Ltd (Formerly Greenweiz Projects Ltd) Versus (i) CMD/TANGEDCO (ii) CE/NCES (iii) SE/Tuticorin EDC (iv) SE/Chennai 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 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 admission.</p>
4	M.P.No.7 of 2024	<p>M/s.Karma Energy Ltd (Formerly Mitra Fidelity Ltd) Versus (i) CMD/TANGEDCO (ii) CE/NCES (iii) SE/Tuticorin EDC (iv) SE/Chennai 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 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 admission.</p>
5	M.P.No.8 of 2024	<p>M/s.Karma Energy Ltd (Formerly Tapi Energy Projects Ltd) Versus (i) CMD/TANGEDCO (ii) CE/NCES (iii) SE/Tuticorin EDC (iv) SE/Chennai 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 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 admission.</p>

6	M.P.No.9 of 2024	<p>M/s.Fortune Integrated Assets Finance Limited (Formerly Wind Construction Ltd)</p> <p>Versus</p> <p>(i) CMD/TANGEDCO (ii) Director / Finance (iii) SE/Solar Energy/NCES</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 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 admission.</p>
7	D.R.P.No.1 of 2024	<p>M/s.Southern Energy Development Corporation Limited</p> <p>Versus</p> <p>(i) CMD / TANGEDCO (ii) SLDC (iii) CFC/General, TANGEDCO (iv) SE/Nagapattinam EDC</p>	<p>Adv.Rahul Balaji</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>To set aside the action of the respondents in seeking to levy scheduling and system operation charges vide letter dated 29.08.2013 from the 3rd Respondent and 4th respondent letter dated 13.09.2013, wherein the 4th respondent had retrospectively worked out scheduling and system operation charges for the period from 01.04.2012 to 24.05.2023 levying a total sum of Rs.6,74,04,862/- on the petitioner for scheduling and system operation charges and consequently direct refund of charges paid pursuant to such period of demand ending on 24.05.2023 and other orders.</p> <p>For admission.</p>

8	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 counter.
9	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 access charges for the month of April 2020. 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. For counter.
10	D.R.P.No.9 of 2023	M/s.OPG Power Generation Pvt. Limited Versus CMD/TANGEDCO	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To declare that the 'change in law' events in terms of Article 10 of the PPA dated 12.12.2013 and consequently direct the respondents to pay the difference amount totalling to Rs.4,55,83,235/- being the amounts disputed by TANGEDCO towards financial impact of change in law events, for the period from 01.04.2020 to 31.03.2022. For rejoinder.
11	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.

Batch cases - In the matter of levy of penalty on alleged excess drawal of power – For arguments				
12	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.N.Kumanan & Adv.A.P.Venkatachalapathy 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.
13	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.N.Kumanan & Adv.A.P.Venkatachalapathy 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.
14	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.N.Kumanan & Adv.A.P.Venkatachalapathy 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.
15	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.N.Kumanan & Adv.A.P.Venkatachalapathy 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.
16	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.N.Kumanan & Adv.A.P.Venkatachalapathy 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.
17	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.
18	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.
19	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/AAG'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 Tariff for Educational Institutions instead of the Commercial Tariff. For arguments.

20	M.P.No.24 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/Comml/EE/T/A EE1/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. For arguments.
21	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.
22	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.
23	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 June 2022 as a compensation for issuing backing down instructions to Renewable Energy plants for reasons other than grid security. For arguments.
24	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 arguments.

25	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 arguments.
26	D.R.P.No.17 of 2023	M/s.SEPC Power Pvt. Limited Versus TANGEDCO	M/s.J Sagar Associates Adv.Richardson Wilson	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/-. For arguments as a last chance.
27	M.P.No.1 of 2023	CE/PPP, TANGEDCO Versus M/s.SEPC Power Pvt. Ltd	Adv.Richardson Wilson M/s.J Sagar Associates	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. For arguments as a last chance.
28	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 as a last chance.
29	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 as a last chance.

(By order of the Commission)

Secretary
Tamil Nadu Electricity Regulatory Commission