

No.54/ 2024 dated: 13-09-2024

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION****CAUSE LIST for 19-09-2024 (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.45 of 2024	Chief Engineer / NCES, Tamil Nadu Green Energy Corporation Limited (TNGECL)	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Seeking approval to collect Resource charges of Rs.50 lakhs per MW for all the pending applications for which in-principle approval is yet to be issued in respect of CTU connected projects and also to approve to collect Resource charges of Rs.50 lakhs per MW for all the pending applications for which location clearance approval is yet to be issued in respect of CTU connected projects.  For admission.
2	D.R.P.No.19 of 2024	M/s.Apraava Renewable Energy Private Limited Vs (i) CMD/Tamil Nadu Power Distribution Corpn Ltd (ii) Director/Finance, TNPDC (iii) CE/NCES, TN Green Energy Corpn Ltd (TNGECL) (iv) SE/TNPDC/Theni EDC	Adv.Jafar Alam  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Declare and direct that the respondents are not entitled to the benefit of the EMI mechanism under the Electricity (LPS & Related matters) Rules, 2022 notified on 3.6.2022 and direct the respondent to make payment of the total outstanding amounts forthwith in lumpsum along with applicable late payment surcharge at the rate of 1% per month as per the Wind Energy Purchase Agreements

				<p>totalling to Rs.63,07,02,079 as on 28.06.2024 and other orders.</p> <p>For admission.</p>
3	D.R.P.No.20 of 2024	<p>M/s.Apraava Wind Energy (Theni - Project-II) Private Limited Vs (i) CMD/Tamil Nadu Power Distribution Corpn Ltd (ii) Director/Finance, TNPDC (iii) CE/NCES, TN Green Energy Corpn Ltd (TNGECL) (iv) SE/TNPDC/Theni EDC</p>	<p>Adv.Jafar Alam</p> <p>Adv.N.Kumanan &amp; Adv.A.P.Venkatachalapathy</p>	<p>Declare and direct that the respondents are not entitled to the benefit of the EMI mechanism under the Electricity (LPS &amp; Related matters) Rules, 2022 notified on 3.6.2022 and direct the respondent to make payment of the total outstanding amounts forthwith in lumpsum along with applicable late payment surcharge at the rate of 1% per month as per the Wind Energy Purchase Agreements totalling to Rs.59,01,36,024 as on 28.06.2024 and other orders.</p> <p>For admission.</p>
4	M.P.No.21 of 2024	<p>Chief Financial Controller / Deposits &amp; Documentation, TANGEDCO Versus (1) M/s.ARS Energy P Ltd &amp; 104 others</p>	<p>Adv.Richardson Wilson</p> <p>Adv.R.S.Pandiyaraj for R-1</p>	<p>To declare that the generator M/s.ARS Energy Pvt Ltd has lost the CGP status under Rule-3 of the Electricity Rules, 2005 read with section 2(8) of the Electricity Act, 2003 for the FY 2014-2015, 2015-16, 2016-2017, 2017-18, 2018-19 &amp; 2021-22 and consequently declare that the users of the said generator are not captive users within the meaning of Rule-3 and further declare that the said users are liable to pay the Cross subsidy surcharge and</p>

				<p>additional surcharge for adjusted electricity and pass other orders.</p> <p>For filing counter on both maintainability and merits.</p>
5	<p>I.A.No.1 of 2024 in D.R.P.No.16 of 2024 &amp; D.R.P.No.16 of 2024</p>	<p>M/s.Sakthi Murugan Roller Flour Mills Pvt. Limited Vs (i) CMD / TANGEDCO (ii) CE/NCES (iii) SE/Palladam EDC (iv) SE/Tiruppur EDC</p>	<p>Adv.R.S.Pandiyaraj  Adv.N.Kumanan &amp; Adv.A.P.Venkatachalapathy</p>	<p>To pass an order of interim stay of the 4th respondent's impugned demand notice dated 18.6.2024 and to quash the demand notice and the consequential impugned CC bill dated 07.08.2024 towards Adjustment charges of Rs.1,18,19,443/- and other orders.</p> <p>For filing counter in I.A. and main petition.</p>
6	<p>I.A.No.1 of 2024 in D.R.P.No.17 of 2024 &amp; D.R.P.No.17 of 2024</p>	<p>M/s.Sakthi Murugan Agro Foods Pvt. Limited Vs (i) CMD / TANGEDCO (ii) CE/NCES (iii) SE/Palladam EDC (iv) SE/Tiruppur EDC</p>	<p>Adv.R.S.Pandiyaraj  Adv.N.Kumanan &amp; Adv.A.P.Venkatachalapathy</p>	<p>To pass an order of interim stay of the 4th respondent's impugned demand notice dated 18.6.2024 and to quash the demand notice and the consequential impugned CC bill dated 07.08.2024 towards Adjustment charges of Rs.1,27,12,257/- and other orders.</p> <p>For filing counter in I.A. and main petition.</p>

7	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 (P1 & P2)  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 counter.
8	M.P.No.9 of 2024	M/s.Fortune Integrated Assets Finance Limited (Formerly Wind Construction Ltd)  Versus (i) CMD/TANGEDCO (ii) Director / Finance (iii) SE/Solar Energy/NCES	Adv.Rahul Balaji  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 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.  For filing reply by the respondent.

9	M.P.No.13 of 2024	Chief Engineer / Grid Operation, State Load Despatch Centre (SLDC)	Adv.N.Kumanan & Adv.Venkatachalapathy	Seeking approval for the True-up of FY 2020-21 as per the provisions of TNERC (Terms and Conditions of Tariff) Regulations, 2005 and MYT Regulations, 2009 and to approve the final True-up for FY 2020-21 and other orders. For further hearing.
10	M.P.No.24 of 2024	Chief Engineer / Grid Operation, State Load Despatch Centre (SLDC)	Adv.N.Kumanan & Adv.Venkatachalapathy	Seeking approval for the true-up for FY 2021-22 as per the provisions of the Tariff Regulations, 2005 and MYT Regulations, 2009 and also to approve the final True-up for FY 2021-22 and other orders. For further hearing.
11	M.P.No.20 of 2024	Chief Financial Controller / TANTRANSCO Ltd	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	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 trueing-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. For filing affidavit on data gap and for further hearing.

12	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 I.A. by the petitioner and for further hearing.
13	I.A.No.2 of 2023 In M.P.No.29 of 2023 & M.P.No.29 of 2023	M/s.Annamalai University  Versus (i) CMD/TANGEDCO (ii) SE/Cuddalore EDC (iii) CFC/Regulatory Cell	Adv.S.Sithirai Anandam  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To set aside the impugned letter dated 24.8.2004 bearing Lr.No.SE/CEDC/CUD/AO/R/Audit-03-04/95/A4/2004 and to classify the HTSC 95 under Tariff-IIA for Educational Institutions instead of Commercial Tariff.  For filing written arguments by the respondent.
14	D.R.P.No.14 of 2013	Sri Pathy papers and Board (P) Ltd., Versus 1) CFC, TANGEDCO 2) SE, Virudhunagar EDC	Adv. R.S.Pandiyaraj  Adv. Richardson Wilson	To set aside the 2 <sup>nd</sup> respondent impugned notice dated 11.8.2012 in the matter of alleged excess consumption in wind energy captive consumption.  For arguments.

15	D.R.P.No.15 of 2013	Sri Pathy papers and Board (P) Ltd., Versus TANGEDCO & Ors.	Adv. R.S.Pandiyaraj  Adv.Richardson Wilson	To set aside the 2 <sup>nd</sup> respondent impugned notice dated 28.9.2012 in the matter of alleged excess consumption in wind energy captive consumption. For arguments.
16	R.P.No.2 of 2013	Spictex Cotton Mills (P) Ltd. Versus TANGEDCO	Adv. R.S.Pandiyaraj  Adv.Richardson Wilson	To review the order dated 17.4.2013 in D.R.P.No.2 of 2012 in the matter of alleged excess consumption in wind energy captive consumption. For arguments.
<b>Batch cases - In the matter of levy of penalty on alleged excess drawal of power For arguments</b>				
17	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. For arguments.
18	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. For arguments.
19	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. For arguments.
20	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. For arguments.

21	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. For arguments.
22	M.P.No.21 of 2023	CFC/D&D, TANGEDCO Versus  M/s.OPG Energy Pvt. Limited	Adv.Richardson Wilson  Adv.Rahul Balaji	To declare that M/s.OPG Energy Pvt Limited has lost captive status for the financial years 2019-2020, 2020-2021 & 2021-2022. For arguments.
23	M.P.No.34 of 2023	CFC/Deposits & Documentation, TANGEDCO Versus M/s.Aniruth Green India	Adv.Richardson Wilson  Adv.R.S.Pandiyaraj	To declare that the petitioner lost Captive Status for the Fys 2017-2018 & 2018-2019. For arguments.
24	M.P.No.38 of 2023	CFC/Deposits & Documentation, TANGEDCO Versus M/s.KAS Onsite Power	Adv.Richardson Wilson  Adv,Rahul Balaji	To declare that the petitioner lost Captive Status for the FY 2022-2023. For arguments.
25	D.R.P.No.10 of 2024	M/s.L.S.Mills Limited Versus (i) CE/NCES, TANGEDCO (ii) Director / Generation (iii) SE/NCES (iv) SE (i/c) / Operation (v) SE/Theni EDC	Adv.R.S.Pandiyaraj  Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	To direct the respondents to give refund of Rs.1,60,00,000 towards refundable security deposit along with interest amount of Rs.27,20,000 as on 30.04.2024 and pass such further or other orders.  For arguments.

(By order of the Commission)

Secretary  
Tamil Nadu Electricity  
Regulatory Commission