

No.43/ 2024 dated: 12-07-2024

TAMIL NADU ELECTRICITY REGULATORY COMMISSION

CAUSE LIST for 18-07-2024 (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.43 of 2023	CE/PPP, TANGEDCO	Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	For order.
2	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' Society of Tamil Nadu (PESOT)	SKV Law Offices Adv.N.Kumanan & Adv.A.P.Venkatachalapathy Rep. by Thiru.S.Gandhi, President, PESOT for R-4	For order.
3	I.A.No.1 of 2023 & D.R.P.No.4 of 2024	M/s.SRG Apparels Versus (i) CMD/TANGEDCO (ii) CE/NCES, TANGEDCO (iii) SE/Udumalpet EDC (iv) SE/Trichy/Metro EDC (v) M/s.Apex Coco and Solar Energy Ltd	Adv.R.S.Pandiyaraj Adv.N.Kumanan & Adv.A.P.Venkatachalapathy for R-1 to R-4	To pass an order of Interim Stay of the 3rd Respondent's impugned demand notice dated 06.02.2024 and impugned CC bill dated 08.03.2024 and to quash the 3rd Respondent's impugned demand notice bearing letter dated 6.2.2024 and 8.3.2024 insofar as Sl.No.20 "Adjustment Charges' of Rs.26,02.888/- is concerned as illegal, arbitrary, without authority and against the scheme of OA which is guaranteed under the Electricity Act, 2003 and pass appropriate orders. For filing counter in both I.A. and Main Petition.

4	I.A.No.1 of 2024 in D.R.P.No.8 of 2024 & D.R.P.No.8 of 2024	M/s.Mytrah Vayu (Manjira) Pvt. Limited Versus (i) CMD/TANGEDCO (ii) Director/Finance (iii) SE/Dindigul EDC (iv) SE/Erode EDC (v) SE/Coimbatore EDC (vi) SE/Tiruppur EDC	M/s.Khaitan & Co. LLP Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct the respondent to pay an amount of Rs.40,58,54,851/- (Principal amount of Rs.22,00,57,921 and interest at the rate of 1% i.e., Rs.18,57,96,930 as on 10.04.2024 towards the unutilised banked energy for FY 2014-15, FY 2015-16 and FY 2016-17 and also direct respondent to make payment of pendent lite interest and other orders. Allow the present I.A. and direct the respondent to produce and /or place on record the internal memos / letters/circulars which have been issued by the Respondent inter-alia in context of verification of CGP and payment towards unutilised banked energy by the WEG and other orders. For filing counter in the main petition as well as I.A.No.1 of 2024.
5	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

				<p>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.</p> <p>For filing affidavit and for further hearing.</p>
6	M.P.No.22 of 2024	Chief Financial Controller / Revenue, TANGEDCO	Adv.Richardson Wilson	<p>To allow the present application and clarify the DSM Regulation in terms as stated in the present application and pass such further or other orders.</p> <p>For further hearing.</p>
7	M.P.No.23 of 2024	Chief Financial Controller / Revenue, TANGEDCO	Adv.Richardson Wilson	<p>To approve the procedure of adjustment of energy purchased / wheeled by the HT consumers under various open access sources by virtue of DSM Regulations with effect from 01.04.2024 and pass such further or other orders.</p> <p>For further hearing.</p>

8	I.A.No.2 of 2024 in L.P.No.1 of 2024	Union of India Military Engineer Services (MES) Air Force Tambaram Rep. through its Garrison Engineer Versus (i) CMD/TANGEDCO (ii) Director / Distribution (iii) Director /Operation (iv) CFC/Regulatory Cell (v) CE/Opn., SLDC (vi) SE/OA & Co- Ordination, SLDC	M/s.P.V.S. Giridhar Associates Adv.Richardson Wilson	To pass appropriate orders for handing over of connected Assets to MES created from Defence Funds at Thanjavur Air Force Station and Tambaram Air Force Station area to establish direct grid connectivity being Deemed Licensee to enable MES to operate as Deemed distribution Licensee in Tamil Nadu State and to purchase power directly from generators and to permit MES to source power from TANGEDCO at the rate of State Average Power purchase cost in line with the order issued by KERC dated 21.04.2023 till conclusion of PPA Generators and other orders. For hearing on I.A.No.2 of 2024.
9	M.P.No.15 of 2024	M/s.OPG Power Generation Pvt. Limited Versus (i) CMD/TANGEDCO (ii) Chairman / TANTRANSCO (iii) SE/Chennai EDC/North	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 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 as a last chance.

10	M.P.No.14 of 2024	Thiru.N.Muthukumaar Versus (i) CMD/TANGEDCO (ii) CFC / Revenue (iii) CE/NCES (iv) SE/Tiruppur EDC	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	<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 filing affidavit and for further hearing.</p>
11	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 as a last chance.</p>
12	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	<p>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</p>

				<p>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.</p> <p>For reply arguments of the petitioner.</p>
13	M.P.No.13 of 2023	<p>M/s.Allsec Technologies Limited</p> <p>Versus</p> <p>(i) Chairman / TANGEDCO (ii) SE/CEDC/South (iii) Secretary to Govt., Energy Department</p>	<p>Adv.Aviral Dhirendra</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>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.</p> <p>For arguments as a last chance.</p>
14	M.P.No.14 of 2023	<p>M/s.Allsec Technologies Limited</p> <p>Versus</p> <p>(i) Chairman / TANGEDCO (ii) SE/CEDC/South (iii) Secretary to Govt., Energy Department</p>	<p>Adv.Aviral Dhirendra</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>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</p>

				<p>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.</p> <p>For arguments as a last chance.</p>
15	I.A.No.2 of 2023 & M.P.No.29 of 2023	<p>M/s.Annamalai University</p> <p>Versus</p> <p>(i) CMD/TANGEDCO (ii) SE/Cuddalore EDC (iii) CFC/Regulatory Cell</p>	<p>Adv.S.Sithirai Anandam</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>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.</p> <p>For arguments of the petitioner in I.A.No.2 of 2023.</p>
16	M.P.No.39 of 2023	<p>National Solar Energy Federation of India</p> <p>Versus</p> <p>(i) CMD/TANGEDCO Ltd (ii) SLDC (iii) TANTRANSCO Ltd (iv) MNRE</p>	<p>Adv.Rahul Balaji</p> <p>Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>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.</p> <p>For arguments.</p>

17	R.A.No.1 of 2024	<p>M/s.KR Wind Energy LLP</p> <p>Versus</p> <p>(i) CE/NCES, TANGEDCO</p> <p>(ii) CFC/Revenue, TANGEDCO</p> <p>(iii) SE/Dindigul EDC</p>	<p>Adv.R.S.Pandiyaraj</p> <p>Adv.Richardson Wilson</p>	<p>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.</p> <p>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.</p> <p>For arguments of the respondent.</p>
18	D.R.P.No.10 of 2023	<p>M/s.Krishnaveni Carbon Products Pvt Limited</p> <p>Versus</p> <p>(i) CE/NCES, TANGEDCO</p> <p>(ii) CFC/Revenue</p> <p>(iii) SE/Tirunelveli EDC</p>	<p>Adv.R.S.Pandiyaraj</p> <p>Adv.Richardson Wilson</p>	<p>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.</p> <p>For arguments of the respondent.</p>
19	D.R.P.No.18 of 2023	<p>M/s.Sri Gomathy Mills Pvt. Limited</p> <p>Versus</p> <p>(i) CE/NCES, TANGEDCO</p> <p>(ii) CFC/Revenue, TANGEDCO</p> <p>(iii) SE/Tirunelveli EDC</p>	<p>Adv.R.S.Pandiyaraj</p> <p>Adv.Richardson Wilson</p>	<p>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</p>

				the BOAD Audit Slip No.28 dt.1.8.2019 as illegal, arbitrary and contrary to the Wind Tariff Orders. For arguments of the respondent.
20	R.P.No.1 of 2023 in M.P.No.2 of 2019	M/s.Best Cotton Mills Versus (i) CFC/Revenue, TANGEDCO (ii) M/s.Asashi India Glass Ltd & Others.	Adv.R.S.Pandiyaraj Adv.Richardson Wilson	Review the order dated 20.07.2023 in M.P.No.2 of 2019 insofar as Para 8.15 (II) (vii) (viii) and para 8.16 alone is concerned and allow the petition and pass such further or other orders. For arguments of the respondent.
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 of the respondent.

22	M.P.No.26 of 2023	<p>Naveen Cotton Mill Private Limited Versus (i) TANGEDCO (ii) SE/Tirunelveli EDC (iii)SE/ TANGEDCO</p>	<p>Adv.R.S.Pandiyaraj Adv.N.Kumanan 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.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.</p> <p>For arguments of the respondent.</p>
23	D.R.P.No.6 of 2024	<p>M/s.Shri Harikrishna Cotton Mills Pvt. Limited Versus (i) CE/NCES, TANGEDCO (ii) SE/Dindigul EDC (iii) SE/Palladam EDC</p>	<p>Adv.R.S.Pandiyaraj Adv.N.Kumanan & Adv.A.P.Venkatachalapathy</p>	<p>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.</p> <p>For arguments of the respondent.</p>

24	D.R.P.No.2 of 2024	M/s.Dhanalakshmi Srinivasan Sugars Pvt. Limited Versus (i) CE/NCES, TANGEDCO (ii) MNRE	Adv.Rahul Balaji Adv.N.Kumanan & Adv.A.P.Venkatachalapathy	Direct the TANGEDCO to roll over and reallocate 1823391 units value of Rs.1,26,90,801/- that the petitioner exported to the TANGEDCO's grid during April 2020 and permit to adjust by petitioner's captive users during 2024-25 or to allow the petitioner to encash Rs.1,26,90,801. For arguments.
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(By order of the Commission)

Secretary
Tamil Nadu Electricity
Regulatory Commission