

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
**(Central Act 36 of 2003)**

**PRESENT:-**

Thiru.M.Chandrasekar  
Thiru.K.Venkatesan  
Thiru.B.Mohan

.... Chairman  
.... Member  
.... Member(Legal)

**D.R.P.No.7 of 2022**

M/s.Arkey Energy (Rameswaram) Ltd.

..... Petitioner  
(Adv.Anirudh Krishnan)

Versus

i) Principal Secretary to Govt.  
Energy Department GoTN  
ii) CMD/ TANGEDCO

..... Respondents  
(Adv.Richardson Wilson)

**Hearing dated : 13.08.2024**  
**DAILY ORDER**

**Order pronounced**

*“In view of the findings rendered above in regard to issues No.1 to 8, this Commission decides that the petitioner is not entitled to any relief. Accordingly, the issue decided. In the result a petition is dismissed. Parties shall bear their respective costs”.*

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

**//True Copy//**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
**(Central Act 36 of 2003)**

**PRESENT:-**

Thiru.M.Chandrasekar	.... Chairman
Thiru.K.Venkatesan	.... Member
Thiru.B.Mohan	.... Member(Legal)

**D.R.P.No.5 of 2023**

Solitaire BTN Solar Pvt. Ltd.

..... Petitioner  
(SKV Law Offices)

Versus

i) TANGEDCO  
ii) SLDC  
iii) TANTRANSO  
iv) Power Engineers' Society of Tamil Nadu (PESOT) .....

Respondents  
(Tvl.N.Kumanan & A.P.Venkatachalapathy  
Standing Counsels for TANGEDCO &  
TANTRANSO/SLDC for – 1 & 3)

**Hearing dated : 13.08.2024**  
**DAILY ORDER**

**Order pronounced**

In the result, the petitioner's prayer in regard to Must-Run status of his RE plant is allowed. The petition with regard to other prayers is dismissed.

Parties to bear their respective costs".

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

//True Copy//

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
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**PRESENT:-**

Thiru.M.Chandrasekar	.... Chairman
Thiru.K.Venkatesan	.... Member
Thiru.B.Mohan	.... Member(Legal)

**D.R.P.No.12 of 2023**

M/s.Narbheram Solar TN Pvt. Ltd.

..... Petitioner  
(Adv.Rahul Balaji)

Versus

i) CMD/ TANGEDCO & Ors.

..... Respondents  
(Tvl.N.Kumanan & A.P.Venkatachalapathy  
Standing Counsels for TANGEDCO &  
TANTRANSCO/SLDC)

**Hearing dated : 13.08.2024**

**DAILY ORDER**

**Common Order pronounced**

“27. In the upshot of the findings, ultimately this Commission pass the following order:

(a) The petitioner’s prayer to issue direction to revise the CUF band specified in the PPA dated 26.09.2017 is dismissed.

(b) The Licensee shall not back down / curtail RE generation for reasons other than grid security as already reiterated the earlier orders of this Commission.

(c) The CUF for the year 2020 -2021 is revised as below:

NVR Energy Private Limited - **15.03%**

M/s. Narbheram Solar TN Private Limited- **14.07%**

(d) The respondent shall re-work out the CUF penalty for 2020-2021 based on the above CUF and annual weighted based forbearance price within 15 days and communicate the working sheet to the petitioners forthwith for reconciliation.

(e) For the year 2019-20, the CUF shall be re-worked within 15 days as specified in Para 23 of this order and communicate the working sheet to the petitioners forthwith for reconciliation. After reconciliation the revised CUF for the period 2019-20 shall be finalised and the penalty already imposed shall be revised accordingly.

(f) In all cases, excess amount if any collected already shall be refunded to the petitioners within 60 days from the date of this order.

(g) No, coercive action shall be taken by the Licensee during the above process.

(h) Parties directed to bear their respective costs. Both the petitions D.R.P.No.13 of 2023 and D.R.P.No.12 of 2023 stand disposed of on the above terms.

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

**//True Copy//**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

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**PRESENT:-**

**Thiru.M.Chandrasekar**  
**Thiru.K.Venkatesan**  
**Thiru.B.Mohan**

.... **Chairman**  
.... **Member**  
.... **Member(Legal)**

**D.R.P.No.13 of 2023**

M/s.NVR Energy Pvt. Ltd.

..... Petitioner  
(Adv.Rahul Balaji)

Versus

i) CMD/TANGEDCO & Ors.

..... Respondents  
(Tvl.N.Kumanan & A.P.Venkatachalapathy  
Standing Counsels for TANGEDCO &  
TANTRANSCO/SLDC)

**Hearing dated : 13.08.2024**

**DAILY ORDER**

**Common Order pronounced**

"27. In the upshot of the findings, ultimately this Commission pass the following order:

(a) The petitioner's prayer to issue direction to revise the CUF band specified in the PPA dated 26.09.2017 is dismissed.

(b) The Licensee shall not back down / curtail RE generation for reasons other than grid security as already reiterated the earlier orders of this Commission.

(c) The CUF for the year 2020 -2021 is revised as below:

NVR Energy Private Limited - **15.03%**

M/s. Narbheram Solar TN Private Limited- **14.07%**

(d) The respondent shall re-work out the CUF penalty for 2020-2021 based on the above CUF and annual weighted based forbearance price within 15 days and communicate the working sheet to the petitioners forthwith for reconciliation.

(e) For the year 2019-20, the CUF shall be re-worked within 15 days as specified in Para 23 of this order and communicate the working sheet to the petitioners forthwith for reconciliation. After reconciliation the revised CUF for the period 2019-20 shall be finalised and the penalty already imposed shall be revised accordingly.

(f) In all cases, excess amount if any collected already shall be refunded to the petitioners within 60 days from the date of this order.

(g) No, coercive action shall be taken by the Licensee during the above process.

(h) Parties directed to bear their respective costs. Both the petitions D.R.P.No.13 of 2023 and D.R.P.No.12 of 2023 stand disposed of on the above terms.

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

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**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
**(Central Act 36 of 2003)**

**PRESENT:-**

Thiru.M.Chandrasekar	.... Chairman
Thiru.K.Venkatesan	.... Member
Thiru.B.Mohan	.... Member(Legal)

**R.A.No.1 of 2024**

M/s.KR Wind Energy LLP	..... Petitioner (Adv.R.S.Pandiyaraj)
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Versus

i) CE/NCES, TANGEDCO & Ors.	..... Respondents (Adv.Richardson Wilson)
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**Hearing dated : 13.08.2024**  
**DAILY ORDER**

**Order pronounced**

“9. In view of the foregoing discussion, we hold that the decision of the Commission in M/s.Mirra & Mirra is distinguishable from the facts relating to M/s.KR Wind Energy LLP., and only the utilisation of banked energy by the same entity at different point is permissible and not the utilisation of banked energy by a different entity from and out of the banked energy standing to the credit of member of a CGP who exited the arrangement. In the result, this Commission conclude and orders that the new entrant, namely M/s.Dindigul Steel Rolling Mills Private is not eligible to utilise the unutilised banked energy left over by the Remand applicant prior to the new agreement. Accordingly, R.A.No.1 of 2024 is decided. D.R.P.No.1 of 2023 shall stand dismissed. The parties shall bear their respective costs”.

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

**//True Copy//**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
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**PRESENT:-**

Thiru.M.Chandrasekar	.... Chairman
Thiru.K.Venkatesan	.... Member
Thiru.B.Mohan	.... Member(Legal)

**D.R.P.No.10 of 2023**

M/s.Krishnaveni Carbon Products Pvt Ltd.	..... Petitioner (Adv.R.S.Pandiyaraj)
Versus	
i) CE/NCES, TANGEDCO & Ors.	..... Respondents (Adv.Richardson Wilson)

**Hearing dated : 13.08.2024**  
**DAILY ORDER**

**Order pronounced**

*"In the result this petition is allowed. The impugned demand notice dated 08.05.2023 issued by the 3<sup>rd</sup> respondent bearing Lr.No.SE/TEDC/TIN/DFC/AO/WIND/AS/F.O.A is hereby set aside / quashed. Parties directed to bear their respective costs".*

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

**//True Copy//**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**



**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
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**PRESENT:-**

Thiru.M.Chandrasekar	.... Chairman
Thiru.K.Venkatesan	.... Member
Thiru.B.Mohan	.... Member(Legal)

**D.R.P.No.18 of 2023**

M/s.Sri Gomathy Mills Pvt. Ltd.

..... Petitioner  
(Adv.R.S.Pandiyaraj)

Versus

i) CE/NCES, TANGEDCO & Ors.

..... Respondents  
(Adv.Richardson Wilson)

**Hearing dated : 13.08.2024**

**DAILY ORDER**

**Order pronounced**

*“3.8. In view of the foregoing discussions, we conclude that the demand notice is in order as it relates to incorrect adjustment of unutilized units pertaining to T-27 and consequential demand of Rs.1,03,99,280 arising out of such incorrect adjustment of units pertaining to HTSC T27. Hence, no case arises for quashing the impugned notice issued by the 3<sup>rd</sup> respondent or BAOB audit slip No.28 dated 1.8.2019 which is the basis for the impugned notice. In the result, the petition is dismissed. Parties shall bear respective costs.”*

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

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**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
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**PRESENT:-**

Thiru.M.Chandrasekar  
Thiru.K.Venkatesan  
Thiru.B.Mohan

.... Chairman  
.... Member  
.... Member(Legal)

**M.P.No.22 of 2024**

CFC/Revenue, TANGEDCO

..... Petitioner  
(Adv. Richardson Wilson)

**Hearing dated : 13.08.2024**  
**DAILY ORDER**

**Order pronounced**

*“2.9. As the concept of Deviation Settlement Mechanism is being implemented in the State of Tamil Nadu is in the initial phase, for the first time, the Commission may revisit the TNERC (Deviation settlement mechanism and related matters) Regulations, 2019 after obtaining the feedback on post implementation issues. The petition is accordingly, disposed of”.*

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

**//True Copy//**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

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**PRESENT:-**

**Thiru.M.Chandrasekar**  
**Thiru.K.Venkatesan**  
**Thiru.B.Mohan**

.... **Chairman**  
.... **Member**  
.... **Member(Legal)**

**M.P.No.23 of 2024**

CFC/Revenue, TANGEDCO

..... Petitioner  
(Adv. Richardson Wilson)

**Hearing dated : 13.08.2024**  
**DAILY ORDER**

**Order pronounced**

“Summarizing the above, Commission decides the following in respect of the banking provision:

- (i) In view of the APTEL order, Commission refrain from passing any order on banking period in respect of the WEGs and directs status-quo shall be maintained in respect of banking period for WEGs. Regarding solar generation, the banking period is continued to be one month billing period without any banking charges till banking charges are fixed by the Commission under proposed Green Energy Open Access (GEOA) Regulations.
- (ii) In respect of Solar generation, the credit for banked energy shall not be permitted to be carried forward to subsequent months and the credit for energy banked during the month shall be adjusted during the same month as per the energy injected in the respective time block. As stated already, energy banked can be adjusted during any block period other than peak hour blocks during the banking cycle. In the case of the Pumped Storage System/Battery Energy Storage System (BESS), energy injected can be adjusted in any time block including peak hour blocks.

(iii) The un-utilised surplus banked energy at the end of the banking cycle shall be sold to the Distribution Licensee at the rate of 75% of respective RE tariffs applicable as per the orders of the Commission and where no tariff is determined, at 75% of the latest discovered bid tariff, for normal RE generators. If there are more than one tariffs discovered through bidding process, the weighted average tariff shall be considered for payment. For the RE generators under REC scheme, the excess generation/unutilized banked energy at the end of the banking cycle may be encashed at the rate of 75% of the Average Pooled Cost of Power Purchase (APPC) for the respective financial year notified by the Commission under the TNERC (Renewable Energy Purchase Obligations) Regulations. When the Average Pooled cost of Power Purchase (APPC) of the Distribution Licensee exceeds the preferential rate fixed by the Commission to that category/sub-category of RE generators for the corresponding year, 75% of the preferential tariff rate fixed by the Commission for the respective year of commissioning of RE generators shall be paid. The petition is accordingly, disposed of.

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

**//True Copy//**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
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**(Central Act 36 of 2003)**

**PRESENT:-**

**Thiru.M.Chandrasekar**  
**Thiru.K.Venkatesan**  
**Thiru.B.Mohan**

.... **Chairman**  
.... **Member**  
.... **Member(Legal)**

**D.R.P.No. 2 of 2024**

M/s.Dhanalakshmi Srinivasan Sugars Pvt. Ltd.

..... **Petitioner**  
**(Adv.Rahul Balaji)**

Versus

i) CE/NCES/TANGEDCO  
ii) MNRE

..... **Respondents**  
**(Tvl.N.Kumanan & A.P.Venkatachalapathy**  
**Standing Counsels for TANGEDCO &**  
**TANTRANSCO/SLDC)**

**Hearing dated : 13.08.2024**

**DAILY ORDER**

**Order pronounced**

“In view of the findings to 1<sup>st</sup>& 2<sup>nd</sup> issues, this Commission decides that the petitioner is not entitled to any relief. Accordingly this issue is decided.

In the result, the petition is dismissed. Parties shall their respective cost.

(Sd.....)  
**(B.Mohan)**  
**Member(Legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

**//True Copy//**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
**(Central Act 36 of 2003)**

**PRESENT:-**

Thiru.M.Chandrasekar	.... Chairman
Thiru.K.Venkatesan	.... Member
Thiru.B.Mohan	.... Member(Legal)

**D.R.P. No.3 of 2024**

M/s.SEPC Power Pvt Ltd.	..... Petitioner (M/s.J.Sagar Associates)
Versus	
TANGEDCO	..... Respondent (Adv.Richardson Wilson)

**Hearing dated : 13.08.2024**  
**DAILY ORDER**

**Order pronounced**

6. *"In the result the Commission orders as follows:-*
- (a) The prayer for decla/ration that the petitioner is entitled to fixed costs for the non-supply of power to the respondent for the periods (i) 01.12.2021 to 27.03.2022 and (ii) 28.03.2022 to 29.04.2023 mentioned in Table 2 of the petition is dismissed.*
  - (b) It is hereby declared that the petitioner is entitled to fixed costs for non-supply of power to the respondent for the period 01.12.2022 to 31.03.2023 mentioned in Table 2 of the petition.*
  - (c) The respondent is directed to pay the appropriate fixed charges to the petitioner for the period 01.12.2022 to 31.03.2023 by applying the relevant formula.*
  - (d) The fixed charges so quantified/assessed shall carry interest at the rate of 12% per annum from the date on which they were due till the date of actual payment.*
  - (e) The prayer of the petitioner to have the term of PPA extended by four months is dismissed.*

(f) *This order of the Commission shall be complied with by the respondent within two months.*

(g) *Considering the nature, scope and amplitude of the dispute, parties directed to bear their respective costs. Petition thus stand allowed partly”.*

(Sd.....)  
**(B.Mohan)**  
**Member(legal)**

(Sd.....)  
**(K.Venkatesan)**  
**Member**

(Sd.....)  
**(M.Chandrasekar)**  
**Chairman**

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**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under section 82 (1) of the Electricity Act, 2003)**  
**(Central Act 36 of 2003)**

**PRESENT:-**

Thiru.M.Chandrasekar	.... Chairman
Thiru.K.Venkatesan	.... Member
Thiru.B.Mohan	.... Member(Legal)

**I.A.No.1 of 2024 & D.R.P. No.12 of 2024**

i) M/s.Sun Terrace Energy One Pvt. Ltd.	..... Petitioners
ii) M/s. Nataji Apparel Park	(M/s.Andrabi & Co)
	Versus
TANGEDCO & Ors.	..... Respondent
	(Tvl.N.Kumanan & A.P.Venkatachalapathy Standing Counsels for TANGEDCO & TANTRANSCO/SLDC)

**Hearing dated : 13.08.2024**  
**DAILY ORDER**

Ms.Mazag Andrabi and Ms.Sneha Parthasarathy, Advocates from M/s.Andrabi & Co appeared for the petitioners. Mr.N.Kumanan and Mr.A.P.Venkatachalapathy, Standing Counsel appeared for TANGEDCO and sought time for filing counter affidavit. The learned counsel for the petitioner made brief submission in regard to I.A.No.1 of 2024 and prayed for passing an interim order. Records disclose existence of prima facie case and the balance of convenience in favour of the petitioner. An order of Status-quo is passed in I.A.No.1 of 2024 till 03.09.2024. The case is adjourned to 03.09.2024 for filing counter affidavit in I.A. and main petition.

(Sd.....)  
**(B.Mohan)**  
Member(legal)

(Sd.....)  
**(K.Venkatesan)**  
Member

(Sd.....)  
**(M.Chandrasekar)**  
Chairman

**//True Copy//**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**