

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**DATE OF HEARING: 28.5.2019**

**Diary No.1562 in O.P. No. 13/2014**

Subject : Petition under Section 86(1)(f) of the Electricity Act, 2003 for adjudication of disputes arising under the Power Purchase Agreement dated 31-7-2012 between the Petitioner and the Respondents relating to claim of respondents towards liquidated damages of Rs. 23.60 Cr. under Article 4.8 of the PPA .

Petitioner : KSK Mahanadi Power Company Limited

Respondents : Central Power Distribution Company of AP Ltd. and Others

**Diary No.1563 in O.P. No. 14/2014**

Subject : Petition under Section 86(1) of the Electricity Act, 2003 for directions on illegal claim of Rs. 66.31 Cr. towards the transmission charges for the period 16<sup>th</sup> June, 2013 to 13 August, 2013 and capacity charges for the period 16<sup>th</sup> June, 2013 to 26<sup>th</sup> July, 2013 including late surcharge fee by illegal invoking Letter of Credit by M/s KSK Mahanadi Power Company Ltd., for the period without supplying power to Petitioners.

Petitioners : Central Power Distribution Company of AP Ltd. and Others

Respondents : KSK Mahanadi Power Company Limited and Others

Coram : Shri P.K. Pujari, Chairperson  
Dr. M.K. Iyer, Member  
Shri I.S. Jha, Member

Parties present : Shri Ashwin Ramanathan, Advocate, KSK  
Shri Anand K.Ganesan, Advocate, KSK  
Shri Rakesh K. Sharma, Advocate, AP & Telangana Discoms  
Shri Nishant, Advocate, AP & Telangana Discoms

**Record of Proceedings**

Learned counsel appearing on behalf of KSK Mahanadi Power Company Limited (KSK) submitted that the present Petitions have been transferred to the Commission in pursuance to the directions of the Hon'ble High Court of judicature at Hyderabad for the State of Telangana and State of Andhra Pradesh dated 31.12.2018. Learned counsel further submitted that since the facts of the present Petitions are different from other Petitions, the present Petitions should not be tagged with other Petitions.

2. Learned counsel for AP and Telangana Discoms requested for time to file its reply along with the status of the impugned order of the Hon'ble Supreme Court.

3. After hearing the learned counsels for KSK, AP and Telangana Discoms, the Commission directed the Petitioners to file the Petitions through e-portal. The

Commission directed the Respondents to file their replies by 11.6.2019 with an advance copy to the Petitioners who may file their rejoinders, if any, by 25.6.2019. The Commission directed that due date of filing the replies and rejoinders should be strictly complied with. No extension shall be granted on that account.

4. The Petitions shall be listed for hearing in due course for which separate notice shall be issued to the parties.

**By order of the Commission**

**sd/-  
(T.D. Pant)  
Deputy Chief (Law)**