

## CENTRAL ELECTRICITY REGULATORY COMMISSION

### NEW DELH

#### **Petition No.91/MP/2018**

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) and other applicable provisions of the Electricity Act, 2003 seeking adjudication of disputes and differences under the Power Purchase Agreement dated 31.07.2012 as amended on 19.12.2014 and 23.01.2018 in regard to non-payment of tariff and unilateral deduction of the monthly energy bills of the Petitioner by the Respondents.

#### **Petition No.53/MP/2021**

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) and other applicable provisions of the Electricity Act, 2003 seeking adjudication of disputes and differences under the Power Purchase Agreement dated 31.7.2012 as amended on 19.12.2014 and 23.1.2018 in regard to non-payment of tariff and unilateral deduction of capacity charges under the Bills of the Petitioner by the Respondents.

#### **Petition No.61/MP/2021**

#### **along with IA. Nos.28/2021 & 42/2022**

Subject : Petition under Section 79(1)(f) and (k) of the Electricity Act, 2003 for adjudication of disputes arising on account of termination of the Power Purchase Agreement dated 31.7.2012 by the Respondent Nos. 1 and 2.

#### **Petition No.149/MP/2021**

Subject : Petition under Section 79(1)(b) read with Section 79(1)(f) and other applicable provisions of the Electricity Act, 2003 seeking adjudication of disputes and differences under the Power Purchase Agreement dated 31.7.2012 as amended on 19.12.2014 and 23.1.2018 in regard to non-payment of tariff and unilateral deduction of capacity charges under the bills of the Petitioner by the Respondents.

Petitioner : KSK MPCL

Respondents : APSPDCL & 3 ors

Date of Hearing : **23.3.2023**

Coram : Shri I.S. Jha, Member  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member



Parties Present : Shri Anand Ganesan, Advocate, KSKMPCL  
Ms. Kriti Soni, Advocate, KSKMPCL

### **Record of Proceedings**

At the outset, the learned counsel for the Petitioner pointed out that though the learned counsel for the Respondent AP discoms, vide his letter dated 22.3.2023, had sought deferment of the hearing of these petitions, the same was opposed by the Petitioner, by its letter dated 22.3.2023. He also pointed out that despite it, even no proxy counsel for the Respondent has appeared in the matter. The learned counsel, while pointing out to the prejudice faced by the Petitioner due to the non-payment of claims by the Respondent, submitted that, the Commission, in the interest of justice, may consider the grant of one last opportunity to the Respondent, failing which the matters may be heard *ex-parte*.

2. None appeared on behalf of the Respondents.
3. On a specific query by the Commission, as to whether the Petitioner has complied with the directions contained in ROP dated 19.1.2023, the learned counsel replied in the affirmative.
4. Accordingly, the Commission, as a last opportunity to the Respondents, adjourned the hearing in the matters. No further adjournment shall be granted for any reason.
5. The Petitions shall be listed for hearing on **25.5.2023**. Meanwhile, the parties are granted time till 5.4.2023, to file their respective submissions, if not filed earlier.

**By order of the Commission**

**Sd/-**  
(B. Sreekumar)  
Joint Chief (Law)

