

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

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 31.7.2012 as amended on 19.12.2014 and 23.1.2018 in regard to non-payment of tariff and unilateral deduction of the monthly energy bills of the Petitioner by the Respondents.

Date of Hearing : 31.5.2018

Coram : Shri P.K. Pujari, Chairperson
Shri A.K. Singhal, Member
Shri A.S. Bakshi, Member
Dr. M.K. Iyer, Member

Petitioner : KSK Mahanadi Power Company Limited (KSKMPCL)

Respondents : Southern Power Distribution Co. of AP Ltd. and Another

Parties present : Shri Anand K. Ganesan, Advocate, KSKMPCL
Ms. Swapna Seshadri, Advocate, KSKMPCL
Shri S. Vallinayagam, Advocate, AP Discoms

Record of Proceedings

Learned counsel for the Petitioner submitted that the present petition has been filed on account of wrongful unilateral deductions of amounts from the monthly invoices raised by the Petitioner to the respondents and to direct the respondents to release payment towards the Capacity Charges, Energy Charges and transmission charges to the Petitioner in terms of the PPA.

2. Learned counsel appearing on behalf of AP Discoms accepted the notice and requested for four weeks time to file the reply to the petition.

3. After hearing the learned counsel for the Petitioner, the Commission admitted the petition and directed to issue notice to the respondents.

4. The Commission directed the Petitioner to serve copy of the petition on the respondents immediately, if not served already. The respondents were directed to file their replies, by 28.6.2018, with an advance copy to the Petitioner, who may file its rejoinder, if any, by 19.7.2018. 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.

5. The petition shall be listed for hearing on 9.8.2018.

By order of the Commission

**Sd/-
(T. Rout)
Chief (Law)**