

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 175/MP/2022**

**Coram:**

**Shri I.S Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member**

**Date of Order: 8<sup>th</sup> February, 2023**

**In the matter of**

Petition under Section 79(1)(b) read with Section 79(1)(f) of the Electricity Act, 2003 read with Purchase Orders dated 06.07.2018 issued by distribution companies of State of Telangana pursuant to Request for Proposal dated 08.06.2018 for recovery of Late Payment Surcharge on delayed payments of invoices raised by Sembcorp Energy India Limited.

**And**

**In the matter of**

Sembcorp Energy India Limited,  
5<sup>th</sup> Floor, Tower C, Building No 8,  
DLF Cybercity, Gurgaon,  
Haryana – 122002.

**....Petitioner**

Vs.

1. Chief Engineer (Commercial),  
Telangana State Power Coordination Committee,  
Vidyut Soudha, Khairatabad,  
Hyderabad-500 082

2. Chairman Cum Managing Director,  
Southern Power Distribution Company of Telangana Ltd.,  
6-1-50, Mint Compound,  
Hyderabad-500 063.

3. Chairman Cum Managing Director,  
Northern Power Distribution Company of Telangana Ltd.,  
H.No. 2-5-31/2, Vidyut Bhawan,  
Nakkalgutta, Hanamkonda,  
Warangal-506 001.

**...Respondents.**

## ORDER

The Petitioner, Sembcorp Energy India Limited, has filed the present Petition with the following prayers:

- “(a) Direct Telangana Discoms (Respondent Nos. 1 to 3) to pay Rs. 5,90,64,432/- to SEIL, towards Late Payment Surcharge for delayed payment of the weekly energy bills for the billing period of 16.07.2018 to 30.09.2018 along with interest till actual date of payment;*
- (b) As an interim measure, direct Telangana Discoms (Respondent Nos. 1 to 3) to release 75% of the aforesaid outstanding amount of LPS payable to SEIL;*
- (c) Direct Telangana Discoms (Respondent Nos. 1 to 3) to pay Late Payment Surcharge pendente lite till actual payment of Late Payment Surcharge amounts; and*
- (d) Pass any other order or direction as this Commission may deem fit in light of facts and circumstances of the present Petition.”*

2. The matter was heard on 11.10.2022. During the course of hearing, in response to the query of the Commission as to whether the Respondents have complied with the provisions of the Electricity (Late Payment Surcharge and related matters) Rules, 2022 ('LPSC Rules') notified by the Ministry of Power, Government of India on 3.6.2022, the learned counsel for the Petitioner submitted that no notice has been received from the Respondents for payment of outstanding dues under LPSC Rules mechanism.

3. The learned counsel for the Petitioner, vide its letter dated 3.2.2023, has submitted that on 19.1.2023, Telangana Discoms have released payment of Rs.5,89,42,808/- towards outstanding LPS to the Petitioner which has been admitted by the Respondent in their reply dated 23.1.2023. In view of the payment by Telangana Discoms, the learned counsel for the Petitioner has sought permission to withdraw the present Petition.

4. The Petition is being decided by circulation. In view of the submission of the learned counsel vide its letter dated 3.2.2023, the Petitioner is permitted to withdraw this Petition.

5. Accordingly, the Petition No. 175/MP/2022 is disposed of as withdrawn.

**Sd/-**  
**(P.K.Singh)**  
**Member**

**sd/-**  
**(Arun Goyal)**  
**Member**

**sd/-**  
**(I.S.Jha)**  
**Member**