

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.129/MP/2024**

Subject : Petition under Section 79, 142 read with Section 146 and 149 of the Electricity Act, 2003 and Regulation 111 and 119 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 against the Respondent No.1 for noncompliance of the order dated 30.10.2023 passed by the Commission in Petition No. 230/MP/2022.

Petitioner : EID Parry (India) Limited (EIDPIL)

Respondents : Transmission Corporation of Andhra Pradesh Limited and Ors.

Date of Hearing : **14.11.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member

Parties Present : Shri Manu Seshadri, Advocate, EIDPIL  
Shri Sahil Manganani, Advocate, EIDPIL  
Ms. Nishtha Goel, Advocate, APTRANSCO and AP Discoms  
Shri D. Abhinav Rao, Advocate, Telangana Discoms  
Shri Rahul Jajoo, Advocate, Telangana Discoms

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking enforcement/execution/implementation of the Commission's order dated 30.10.2023 passed in Petition No. 230/MP/2022 and seeking consequential directions to Respondent No.1 to ensure that the Petitioner's dues are settled forthwith in a time bound manner. Learned counsel submitted that the claims of the Petitioner pertain to the arrear amounts decided in favour of the Petitioner on account of fixing the Plant Load Factor (PLF) at the rate of 55% and truing-up of the amount annually instead of on a monthly basis. Learned counsel added submitted that the total arrear amount (till 16.11.2023) is Rs.11.71 crores (with Rs.4.28 crores as principal amount and the balance being interest), which pertains to the financial years 2004-05, 2005-06, 2006-07 and 2009-10. Learned counsel also added that although the Respondents have filed an appeal against the Commission's order dated 30.10.2023, no stay has been granted by the APTEL so far. Learned counsel accordingly urged for the direction upon Respondent No.1 to pay the outstanding dues owed to the Petitioner.

2. Learned counsel for Respondents Nos. 1,2,3 & 5 submitted that the Respondents have challenged the Commission's order dated 30.10.2023 before the APTEL, and the said appeal, along with the application seeking a stay is next listed for the hearing on 19.11.2024. Learned counsel added that the Respondents are *inter alia* disputing the interest liability.

3. Considering the submissions made by the learned counsels for the parties and keeping in view that there is no stay on the order dated 30.10.2023, the Commission directed the Respondent, AP Transco, to pay the entire outstanding principal amount of Rs. 4,28,23,048/- within a period of four weeks from the issuance of the ROP. Needless to add, such payment shall be without prejudice to the rights & contentions of both sides and also shall be subject to the outcome of the appeal pending before the APTEL.

4. The Petition will be listed for the hearing on **21.1.2025**.

**By order of the Commission**  
**Sd/-**  
**(T.D. Pant)**  
**Joint Chief (Law)**