

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.282/MP/2021 along with IA No.61/2022

Subject : Petition under Section 79(1) (b), Section 79 (1)(f) and Section 79 (1)(k) of the Electricity Act 2003, read with Articles 11.5.3,11.5.4,12.1, 24.3 and 24.4 of the Pilot Agreement for Procurement of Power (PAPP) dated 26.10.2018 executed between the Petitioner (RKM) and the Respondent (PTC) seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; (iii) additional interest; and for furnishing of Letter of Credit as payment security mechanism

Petitioner : RKM Powergen Private Limited (RKMPPL)

Respondents : PTC India Limited (PTCIL) and Ors.

Petition No.141/MP/2022

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 read with the Pilot Power Supply Agreement (PPSA) dated 27.10.2018 executed between the Petitioner and the Telangana Discoms for supply of 550 MW of power from the power plant of Respondent No.4/RKM Powergen, seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; and (iii) furnishing Letter of Credit as per the PPSA.

Petitioner : PTC India Limited (PTCIL)

Respondents : Telangana State Power Coordination Committee and Ors.

Date of Hearing : **6.5.2026**

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

Parties Present : Shri Hemant Singh, Advocate, RKMPPL
Ms. Alchi Thapliyal, Advocate, RKMPPL
Ms. Surpriya Rastogi, Advocate, RKMPPL
Shri Jai Lal, Advocate, RKMPPL
Shri Nishant Kumar, Advocate, RKMPPL
Shri Arun Lal, Advocate, RKMPPL
Shri Dharmendra Singh, Advocate, RKMPPL
Shri Sajid Akhtar, Advocate, RKMPPL
Shri Anees Rangrez, Advocate, RKMPPL
Shri Nitesh Singh, Advocate, RKMPPL



Shri Shankar Sharda, Advocate, RKMPPL
Shri Ravi Kishore, Advocate, PTCIL
Ms. Deepti Dash, Advocate, PTCIL
Shri D Abhinav Rao, Advocate, Telangana Discoms
Shri Abhishek Das, Advocate, Telangana Discoms

Record of Proceedings

At the outset, the learned counsel for the Petitioner/RKMPPL in Petition No. 282/MP/ 2021 submitted that, pursuant to the Respondent/PTCIL having paid the outstanding principal amount towards the monthly supply bills, the disputes remain only in respect of payment of the outstanding LPS amounting to approximately Rs. 83 crore and towards non-offtake of the minimum assured quantum in terms of Article 10.2.2 of the PAPP, amounting to Rs. 24.40 lakh. The learned counsel further sought liberty to file a response to the affidavit filed by the Respondents/Telangana Discoms.

2. Learned counsel for the Respondents/Telangana Discoms submitted that in compliance with the Record of Proceedings dated 9.12.2025, the Respondents have already filed their affidavit on 19.12.2025, furnishing the detailed calculations of the outstanding LPS liability under the PPSA, which works out to Rs. 62.83 crore.

3. Learned counsel for PTCIL submitted that the total outstanding LPS payable by Telangana Discoms under the PPSA, as per them, was Rs. 87.62 crore (up to 31.5.2025), and the difference in the amount computed by them and Telangana Discoms was primarily on account of the difference in their methodology. The learned counsel, while supporting the methodology employed by RKMPPL, submitted that Telangana Discoms have *inter alia* not considered the compounding of LPS until their actual payment as provided for in the PPSA. The learned counsel also submitted that Telangana Discoms have also raised the issues of revenue realised by RKMPPL on account of third-party sales and the compensation for the lesser declaration. The learned counsel prayed that Telangana Discoms ought to be directed to make payment towards at least the admitted outstanding LPS amounts.

4. In response, the learned counsel for RKMPPL submitted that they have already pointed out that the details of third-party sale are not relevant as in terms of Supplementary Agreement entered into between the parties, the contracted capacity of 550 MW was to be supplied to Telangana Discoms in a staggered manner of three months each (February to April and July to September) during a contract year and they were entitled to sale the entire contracted capacity to any third parties during the period of non-supply of power.

5. After hearing the learned counsel for the parties, the Commission permitted RKMPPL to file its response to the affidavits filed by the Respondents within two weeks. PTCIL was also permitted to file its response thereon within a week thereafter.

6. The Petitions will be listed for hearing on **16.7.2026**.

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

