

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under Section 82 (1) of the Electricity Act, 2003**  
**Central Act 36 of 2003)**

**PRESENT:-**

Thiru. S. Akshayakumar	.... Chairman
Thiru. S.Nagalsamy	.... Member
Thiru. G.Rajagopal	.... Member

**M.P.No. 36 of 2014**

Tamil Nadu Newsprint and Papers Ltd.,	..... Petitioner
Nil	..... Respondent

Versus

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The counsel for the petitioner Thiru Rahul Balaji presented the case. Arguments heard. The petition is admitted. The petitioner is directed to serve the copy of the petition to the State Load Despatch Centre within 15 days and the SLDC is directed to submit its views within 15 days from the date of receipt of the petition. The case will be listed thereafter.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under Section 82 (1) of the Electricity Act, 2003**  
**Central Act 36 of 2003)**

**PRESENT:-**

Thiru. S. Akshayakumar .... Chairman

Thiru. S.Nagalsamy .... Member

Thiru. G.Rajagopal .... Member

**M.P.No. 35 of 2014**

TANGEDCO ..... Petitioner

Versus

Nil ..... Respondent

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The Superintendent Engineer, NCES of TANGEDCO presented the case.  
Arguments heard. The petition is not admitted.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**Regulatory Commission**

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under Section 82 (1) of the Electricity Act, 2003**  
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Thiru. S. Akshayakumar	.... Chairman
Thiru. S.Nagalsamy	.... Member
Thiru. G.Rajagopal	.... Member

**M.P.No. 30 of 2014**

Cuddalore PowerGen Corporation Ltd.,	..... Petitioner
	Versus
TANGEDCO	..... Respondent

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The Counsel for the Petitioner Mr.Rahul Balaji appeared and filed an affidavit. The Learned Counsel submitted that the date of financial closure need to be extended till 30-04-2016 for the reason that the process of acquiring land for the project still could not be completed. He added that though the extent required is already in possession, some pieces of land here and there are Government Porambokku. Though such pieces are not contiguous negotiations to get such lands assigned to the project in lieu of some other green lands in the possession of the project is going on which involve exchange of private land for Government land and the same will be completed in due course.

To a pointed question by the Commission it was replied that still substantial portion of land is yet to be acquired. The counsel for the petitioner further submitted that the grant of extension of time for financial closure will not cause any prejudice to the TANGEDCO and if the prayer is rejected, all parties will suffer

since the necessary approvals from various Government agencies so far obtained were duly got renewed as and when necessary. In case of extension of COD, one more hearing would suffice for the Commission to give finality to the issue. The Commission adjourned the matter directing the TANGEDCO to make its categorical stand on the issue.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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<b>Thiru. S. Akshayakumar</b>	<b>.... Chairman</b>
<b>Thiru. S.Nagalsamy</b>	<b>.... Member</b>
<b>Thiru. G.Rajagopal</b>	<b>.... Member</b>

**R.P.No. 2 of 2014**

Hindustan Cleanenergy Ltd.,	..... Petitioner
Versus	
TANGEDCO	..... Respondent

**Hearing dated : 29-12-2014**

**DAILY ORDER**

Mrs. Nalini Chidambaram, Senior Advocate argued the case on behalf of the Petitioner and made the following submissions regarding the control period in Order No.7 of 2014.

As per the power procurement from New and Renewable Sources of Energy, Regulations, 2008 of the Commission, the control period is ordinarily 2 years. In the instant case, it has been restricted as one year. The CERC provides a period of one year for signing of PPA and one year thereafter for completion of the project. As far as the Order No.7 of 2014 of the Commission is concerned, the model PPA is not yet ready and already 3 months time is over and the remaining period of 9 months is not sufficient to commission the Solar Power project since the financial closure could be achieved only after signing PPAs. The Senior counsel contended that the Commission has violated the general norm as to control period of 2 years even without any state specific reasons to depart from the CERC norms.

In the case of Jharkhand, Karnataka and MP, the control period is 3 years, 5 years and 2 ½ years, respectively. In the absence of any assurance from the Government such as single window system for getting clearances for project proposals, the control period needs to be extended. The Counsel cited decision of APTEL in Appeal No.96 of 2012 and Appeal No.130 of 2012 wherein the order of Gujarat ERC to not to extend the control period has been remanded back to the Gujarat ERC for rehearing on merit.

The Commission mentioned that the CERC says that tariff for solar has to be reviewed annually and also indicated that the control period was fixed consciously by the Commission taking into account of the trend of reducing capital cost. The Senior Counsel answered that the reduction of capital cost alone cannot be the sole criterion.

When the Commission felt that the Review Petition will not lie in the matter and is liable to be dismissed, the Counsel pleaded that the Commission may consider the case for the extension of the control period exercising the inherent powers of the Commission. The Commission also can take up for review on its own only if any of the 3 conditions stipulated in the Regulation is attracted. Hence it can not take up this case. The petition is not admitted as it does not fulfil any of the 3 conditions stipulated in the Regulation for review.

(Sd.....)  
**(G. Rajagopal)**  
**Member**

(Sd.....)  
**(S.Nagalsamy)**  
**Member**

(Sd.....)  
**(S.Akshayakumar)**  
**Chairman**

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**PRESENT:-**

Thiru. S. Akshayakumar	.... Chairman
Thiru. S.Nagalsamy	.... Member
Thiru. G.Rajagopal	.... Member

**R.P.No. 3 of 2014**

Acme Solar Energy Ltd., ..... Petitioner

Versus

TANGEDCO ..... Respondent

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The counsel for both sides were present. The counsel for the petitioner adopted the arguments made in the similar case. Arguments heard. Petition is not admitted as in the case of R.P.No.2 of 2014.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**PRESENT:-**

Thiru. S. Akshayakumar	.... Chairman
Thiru. S.Nagalsamy	.... Member
Thiru. G.Rajagopal	.... Member

**R.P.No. 4 of 2014**

Welspun Renewables Energy Pvt. Ltd., ..... Petitioner

Versus

TANGEDCO ..... Respondent

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The counsel for both sides were present. The counsel for the petitioner adopted the arguments made in the similar case. Arguments heard. Petition is not admitted as in the case of R.P.No.2 of 2014.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**Regulatory Commission**



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**(Constituted under Section 82 (1) of the Electricity Act, 2003**  
**Central Act 36 of 2003)**

**PRESENT:-**

Thiru. S. Akshayakumar	.... Chairman
Thiru. S.Nagalsamy	.... Member
Thiru. G.Rajagopal	.... Member

**R.P.No. 5 of 2014**

Vaibhav Jyoti Power Utility Services Pvt., Ltd.,	..... Petitioner
Versus	
TANGEDCO	..... Respondent

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The counsel for both sides were present. The counsel for the petitioner adopted the arguments made in the similar case. Arguments heard. Petition is not admitted as in the case of R.P.No.2 of 2014.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**PRESENT:-**

Thiru. S. Akshayakumar	.... Chairman
Thiru. S.Nagalsamy	.... Member
Thiru. G.Rajagopal	.... Member

**I.A.No. 1 of 2014 in M.P.No. 28 of 2014**

Union of India, Southern Railway ..... Petitioner

Versus

1) TANGEDCO and two others. .... Respondents

**Hearing dated : 29-12-2014**

**DAILY ORDER**

Thiru Rahul Balaji, Advocate represented for the counsel on record. The standing counsel for respondent was present. Both parties prayed time for arguments. The case is adjourned at the request of both parties.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
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**Central Act 36 of 2003)**

**PRESENT:-**

Thiru. S. Akshayakumar .... Chairman

Thiru. S.Nagalsamy .... Member

Thiru. G.Rajagopal .... Member

**S.M.P.No. 1 of 2014**

TANGEDCO ..... Petitioner

Versus

1) Ambika Cotton Mills Ltd., and 55 others. .... Respondents

**Hearing dated : 29-12-2014**

**DAILY ORDER**

Thiru Rahul Balaji and Thiru S.P.Parthasarathy Advocates prayed to list their names in the cause list. They were directed to file the vakalatnama. Thirumathi Varalakshmi, the standing counsel for the TANGEDCO prayed time for arguments. The case is adjourned at the request of the petitioner.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
**(Constituted under Section 82 (1) of the Electricity Act, 2003**  
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**PRESENT:-**

Thiru. S. Akshayakumar .... Chairman

Thiru. S.Nagalsamy .... Member

Thiru. G.Rajagopal .... Member

**S.M.P.No. 2 of 2012**

TANGEDCO ..... Petitioner

Versus

1) Thiru D.R.Subbaian

2) Thiru Syed Tajudeen Madani ..... Respondents

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The counsel for both sides were present. Respondent 1 has already completed his arguments. Thiru Lakshmi Narayanan Advocate appeared for R2 and presented his arguments. The case is fully heard. Orders reserved.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**Central Act 36 of 2003)**

**PRESENT:-**

Thiru. S. Akshayakumar	.... Chairman
Thiru. S.Nagalsamy	.... Member
Thiru. G.Rajagopal	.... Member

**M.A.P.No. 3 of 2007**

TANGEDCO	..... Petitioner
Versus	
Madurai Power Corporation Pvt.Ltd.,	..... Respondent

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The counsel for both sides were present. The standing counsel for the petitioner prayed one week time for filing affidavit with regard to final outcome of the negotiation between the parties. The time prayed for is granted. The case is adjourned.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**  
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**PRESENT:-**

Thiru. S. Akshayakumar	.... Chairman
Thiru. S.Nagalsamy	.... Member
Thiru. G.Rajagopal	.... Member

**M.A.P.No. 2 of 2007 & M.A.P.No.1 of 2012**

TANGEDCO	..... Petitioner
Versus	
Samalpatti Power Company Pvt., Ltd.,	..... Respondent
and	
Samalpatti Power Company Pvt., Ltd.,	..... Petitioner
Versus	
TANGEDCO	..... Respondent

**Hearing dated : 29-12-2014**

**DAILY ORDER**

The counsel for both sides were present. The standing counsel for the TANGEDCO prayed time to inform the result of the ongoing negotiation in the matter. The case is adjourned at the request of both parties.

(Sd.....)  
**(G. Rajagopal)**  
Member

(Sd.....)  
**(S.Nagalsamy)**  
Member

(Sd.....)  
**(S.Akshayakumar)**  
Chairman

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