

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH

Petition No. 50 of 2021
Date of Order: 07.04.2022

Petition under Section 86(1)(f) of the Electricity Act, 2003 seeking adjudication of disputes between TSPL and PSPCL in relation to the computation of the Energy Charges claimed by the TSPL.

AND

In the matter of: Punjab State Power Corporation Limited, The Mall, Patiala 147001.

.....Petitioner

Versus

Talwandi Sabo Power Limited, Village Banawala, Mansa, Talwandi Sabo Road, Distt. Mansa, Punjab 151302.

....Respondent

Present: Sh. Viswajeet Khanna, Chairperson
Ms. Anjali Chandra, Member
Sh. Paramjeet Singh, Member

ORDER

Punjab State Power Corporation Limited (PSPCL) has filed the present petition seeking adjudication of disputes and differences under the Power Purchase Agreement dated 01.09.2008 executed with Talwandi Sabo Power Limited (TSPL) on the computation of the energy charges claimed by TSPL. The petition was fixed for hearing on admission on 29.09.2021 and the learned counsel for TSPL submitted that the contentions raised by PSPCL in the present petition are identical

to the contentions already raised before the Hon'ble Supreme Court and the issue of maintainability of the petition may be decided first before proceeding further in the petition. It was decided to hear the parties on the issue of maintainability of the petition. TSPL, vide letter No. TSPL/PSERC/AK/OCT-21/143 dated 22.10.2021, filed preliminary objections to the maintainability of the petition and PSPCL filed its reply thereto vide memo No. 7731 dated 29.11.2021 and submitted the written submissions vide e-mail dated 05.02.2022. TSPL filed submissions vide e-mail dated 06.01.2022 and on 08.02.2022 in writing. Arguments were heard from both the parties on 21.01.2022 alongwith the hearing of arguments in another petition No. 49 of 2021 filed by PSPCL. During the course of the arguments, learned senior counsel for TSPL submitted that since the NPL matter had been heard prior to the TSPL petition and the issues were similar on the challenge to maintainability, the arguments professed by learned senior counsel for NPL be also read as the arguments by TSPL in addition to the written submission being filed by TSPL. After hearing the learned counsel for the parties on 21.01.2022, Order was reserved.

2. The issues involved in the present petition are similar to the issues in petition No. 49 of 2021. While arguing the matter on the issue of maintainability of the petition, the learned counsel for TSPL also adopted the arguments made in petition No. 49 of 2021 in petition No. 50 of 2021. The issue of maintainability of the petition No. 49 of 2021 has been decided by the Commission vide Order dated 07.04.2022 holding the petition to be maintainable. As the issues involved in the present petition are similar to the issues involved in petition No. 49 of 2021, the issue as to

the maintainability of the petition is disposed of in terms of the Order dated 07.04.2022 passed in petition No. 49 of 2021.

The petition is admitted and fixed for hearing on 27.04.2022 at 11.00 AM.

Sd/-

(Paramjeet Singh)
Member

Sd/-

(Anjuli Chandra)
Member

Sd/-

(Viswajeet Khanna)
Chairperson

Chandigarh

Dated: **07.04.2022**