

**JOINT ELECTRICITY REGULATORY COMMISSION  
FOR THE STATE OF GOA AND UNION TERRITORIES  
GURGAON**

Quorum  
Shri S.K.Chaturvedi, Chairperson  
**Petition No. 174/2015**  
**Date of Order: 10.08.2015**

**In the matter of**

Complaint under Section 142 of the Electricity Act, 2003 read with Regulation 70 of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Conduct of Business) Regulations, 2009

**And in the matter of**

M/s Suryachakra Power Corporation Ltd.,  
Suryachakra House, Plot No. 304-L-III, Road No. 78,  
Film Nagar, Jubilee Hills,  
Hyderabad – 500096.

..... **Petitioner**

**And in the matter of**

1. Electricity Department,  
Andaman & Nicobar Administration, Vidyut Bhawan  
Port Blair – 744101.

.....**Respondent (1)**

2. The Chief Secretary,  
Andaman & Nicobar Administration, Secretariat,  
Port Blair, Andaman & Nicobar Islands.

.....**Respondent (2)**

**Present**

**For Petitioner**

1. Dr. S.M. Manepalli, Managing Director, Suryachakra Power Corporation Ltd.
2. Shri E. Jashuva, Manager, Suryachakra Power Corporation Ltd.
3. Shri Rohit Rao, Advocate, Suryachakra Powr Corporation Ltd.

**For Respondent**

1. Shri K. Madhava Rao, Asstt. Manager, Electricity Department, A&N
2. Ms. Ruchi Sindhvani, Advocate, Electricity Department, A&N
3. Ms. Megha Bharava, Advocate, Electricity Department, A&N
4. Shri Arvind Tewari, Consultant, Electricity Department, A&N

## ORDER

The Petitioner-Suryachakra Power Corporation Limited has filed the present complaint / petition under Section 142 of the Electricity Act, 2003 read with Regulation 70 of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Conduct of Business) Regulations, 2009.

The Petition was received in the Commission on 06.07.2015. The Commission found the Petition generally in line with the Electricity Act and JERC (Conduct of Business) Regulations, 2009 and numbered it as Petition No. 174/2015.

The Commission scheduled pre admission hearing of the Petition for today on 10.08.2015 at Commission's HQ. The Commission sent hearing notice to the parties directing the Respondents to submit reply / objections to the Petition on or before 03.08.2015.

The Respondents submitted reply dated 06.08.2015 which was received in the Commission on 10.08.2015. The Commission held hearing today on 10.08.2015. The Commission heard the representatives of the Parties at length. The Commission has also gone through the Petition and the reply carefully and thoroughly. The Commission admitted the Petition.

The representatives for the Respondents during hearings submitted that the Respondents need more time to check the supplementary invoices filed by the Petitioner and to give directions to the Petitioner to submit all the documents immediately for verification. The representatives for the Petitioner submitted that all the necessary documents have been supplied to the Respondents many times earlier on the directions of the Commission

The Commission observed that the Project Cost was fixed by the Commission in the order dated 30.04.2015 and the principles and methodology for working out the Tariff Deemed Generation Charges and interest on delayed payment were laid down in the said order. The Commission also observed that no documentary proof was required to check depreciation and O&M expenses as they are having a bearing on Project Cost on a percentage basis, as per PPA provisions. It is only for checking the other elements in the Tariff, namely interest on working capital, interest on loan and return on equity, the documents related to funding of the Project and working capital, documents like loan agreements and bank statements are to be examined. The sources of funding also vary dynamically with increase in the originally estimated Project Cost and the necessity for taking up "bridge loans". The related further loan agreements are also to be scrutinized. The debt equity ratio is to be followed as per the earlier order and the PPA provisions. The payment details are available at the end of the Department (ED – A&N) as paying authority. The Commission directed the Petitioner to supply immediately the documents as listed by the Respondents in their reply to the Petition, keeping in mind the above observations of the Commission.

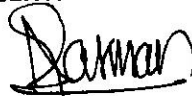
The representatives for the Petitioner prayed for one week time for filing rejoinder to the reply of the Respondents. The Commission considered the prayer of the representatives for the Petitioner, acceded the same and directed the Petitioner to file rejoinder to the reply of the Respondents on or before 17.08.2015 with advance copy to the Respondents.

The representatives for the Respondents prayed for three weeks time for filing reply /response to the rejoinder of the Petitioner. The representatives for the Petitioner have no objection in granting two weeks time for filing reply to the rejoinder. The Commission considered the prayer of the representatives of the parties and directed the Respondents to file reply/response to the rejoinder of the Petitioner on or before 04.09.2015 with advance copy to the Petitioner.

Scheduled for hearing on 14.09.2015 at 11.00 A.M. at Commission's HQ

Sd/-  
(S.K.CHATURVEDI)  
CHAIRPERSON

(CERTIFIED COPY)



(D.R. PARMAR)  
DIRECTOR – ENGG.