

COURT-I
IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

IA NO. 1285 OF 2019 IN
APPEAL NO. 94 OF 2019 &
IA NO. 1282 OF 2019

Dated : 17th July, 2019

Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. S.D. Dubey, Technical Member

In the matter of:

M/s SEI Arushi Private Ltd.

... Appellant(s)

Versus

Andhra Pradesh Electricity Regulatory Commission & Anr. ...

Respondent(s)

Counsel for the Appellant(s) : Mr. Sanjay Sen, Sr. Adv.
Mr. S. Venkatesh
Mr. Vikas Maini

Counsel for the Respondent(s) : Mr. K. V. Balakrishnan for R-1
Mr. Nishant Sharma for R-2

ORDER

The approved tariff in terms of Power Purchase Agreement (PPA) pertaining to this Unit is Rs.3.74 per KWh. When the Respondent – Commission reduced it to Rs.3/- for certain period, the Appellant filed this Appeal. Meanwhile the Respondent – DISCOM on 12.07.2019 sent a letter to the Appellant reducing the tariff to Rs.2.44 per KWh from the date of commissioning of the project i.e. 28.10.2017.

Prima facie, we find that without any opportunity of being heard to the Appellant, the above stated letter seems to have been addressed. We therefore, opine that the said consequences mentioned in the above letter dated 12.07.2019 have to be stayed till further orders. Further, we direct the DISCOM to pay the tariff at the approved rate of Rs.3.74 per KWh till the next date of hearing.

List the matter on **26.08.2019**. Meanwhile, objections/reply if any, to IA No. 1282 of 2019 as well as main to the appeal may be filed with advance copy to the other side.

(S. D. Dubey)
Technical Member

tpd/mkj

(Justice Manjula Chellur)
Chairperson