

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

**APPEAL NO. 95 OF 2019 &  
IA NOS. 1283 & 1333 OF 2019**

**Dated : 23<sup>rd</sup> September, 2019**

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

**In the matter of:**

**M/s. Rain Coke Ltd.**

**... Appellant(s)**

**Versus**

**Andhra Pradesh Electricity Regulatory Commission & Anr. ...**

**Respondent(s)**

Counsel for the Appellant(s) : Mr. Basava Prabhu S. Patil, Sr. Adv.  
Mr. S. Venkatesh  
Mr. Vikas Maini  
Mr. Suhael Buttan  
Ms. Lasya Padini

Counsel for the Respondent(s) : Mr. K. V. Mohan  
Mr. K. V. Balakrishnan  
Mr. Rahul Kumar Sharma for R-1  
  
Mr. K. Santosha Rao  
Ch. Brahmanandam  
Mr. Sudarshan for APSPDCL

**ORDER**

Learned senior counsel, Mr. Basava Prabhu S. Patil, appearing for the Appellant submits that monthly tariff is being received by DISCOMs regularly but payment to different generators is being treated differently i.e. Thermal & Solar RE.

Respondent counsel submits that there is no such discrimination and Letter of Credit (LC) is offered by State Govt. and not by the DISCOMS. He also submits that the G.O. dated 01.08.2019 & 29.08.2019 were issued in this regard.

Respondent/DISCOMS have filed the G.O. dated 01.08.2019 & 29.08.2019 along with affidavit. Respondent/DISCOMs are directed to place on record with documents, the details of payments made by them to different generators, irrespective of nature of plant (Thermal & Solar) from which energy is drawn for the last six months. Affidavit should be by the responsible senior officer from Finance/Accounts discipline.

Rejoinder, if any, shall be filed on or before 25.09.2019 after duly serving copy on the other side.

List the matter on **25.09.2019**.

**(S.D. Dubey)**  
**Technical Member**

pr/mkj

**(Justice Manjula Chellur)**  
**Chairperson**