

**IN THE HON'BLE KARNATAKA ELECTRICITY REGULATORY
COMMISSION, AT BENGALURU**

Complaint No. ____/2023

BETWEEN:

Globalexotium Renewable Solutions
Pvt. Ltd. & Ors.

...

PETITIONERS

AND

GESCOM & Ors.

...

RESPONDENTS

LIST OF DATES AND EVENTS

DATE	EVENT
26/08/2014	Notification released by Government of Karnataka releasing Individual Landowner's Farmer's Scheme.
16/03/2015	Petitioner No.2 was issued Letter of Allotment by Respondent No.3 (KREDL) to set up 1 MW Solar Power Project in Kalburgi District.
07/07/2015	Petitioner No.2 and Respondent No.2 entered into Power Purchase Agreement ('PPA').
21/12/2016	Letter sent by Petitioners to GESCOM seeking extension of time to implement the project.
15/03/2017	Order passed by GESCOM approving the extension of time sought by Petitioners. Pursuant thereto, time for commissioning the project was extended to 05/07/2017.
16/03/2017	SPPA between the Petitioner No.1 and GESCOM modifying Article 1(xxxi) revising the scheduled commissioning date to 05/07/2017.
05/07/2017	Date of commission of the power plant.
22/07/2017	Date of Commission Certificate in respect of the power plant.
10/08/2017	Thereafter, the Petitioners on the advice of GESCOM filed OP No. 133/2017 before this Hon'ble Commission seeking approval of the extension of time granted by GESCOM.
09/11/2018	This Hon'ble Commissioner dismissed the petition of the Petitioners in OP 133/2017 and other similarly placed petitions.

S.P.

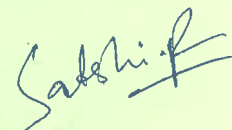
24/11/2022	The aggrieved Petitioner therein along with the others approached the APTEL in appeal. The APTEL accepted the contentions of the Appellant and remanded the matter to this Hon'ble Commission.
21/03/2023	This Hon'ble Commission passed the final order condoning the delay in commission of the power plants; approving the extension of the commission date to 05/07/2017 that was already approved by GESCOM and; consequently, allowing the tariff of Rs.8.40/- per unit as agreed in the PPA.
28/03/2023	Petitioners issued representation to the GESCOM seeking payment of differential tariff and interest in terms of the Order dated 21/03/2023. However, the Respondents have not considered the said representation.
19/06/2023	There was a meeting convened by GESCOM and the differential tariff amount and the liquidated damages amount was reconciled by GESCOM and the Petitioners. However, date of payment was not indicated and no amount has been disbursed.
22/06/2023	Petitioner No. 1 issued representation stating deliberate non-compliance of the order of this Hon'ble Commission and requesting for immediate payment.
	Hence, the present Complaint.

SYNOPSIS

The Respondents have failed to comply with the Order dated 21/03/2023 passed by this Hon'ble Commission in O.P No. 133/2017 and have not disbursed payment of differential tariff for the period between July 2017 till date. On 19/06/2023, both parties have reconciled the amount of differential tariff and liquidated damages to be paid, as produced in *Annexure-J*. Further, interest on the same is payable as per calculation in *Annexure-K*. Despite representations from the date of the order till date, the Respondents have not paid the dues to the Petitioners, resulting in severe financial difficulties in running the 1 MW Solar Power Project of the Petitioner No. 1. Hence, the present Complaint.

Place: Bengaluru

Date: 30/06/2023



Advocate for Petitioners