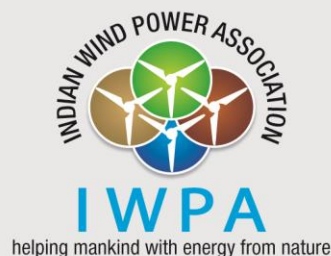


June 29, 2017

IWPA Circular No. 228 of 2017



Dear Member

Request for contribution to Legal expenses by beneficiary members

Many members approach our Association for legal remedies for their issues with TANGEDCO. The Association also had taken up many issues of the members with appropriate legal forums and successfully obtained favourable orders which benefitted the members in a big way.

Recently, we had sent three circulars seeking financial contributions from the members but the response is poor. Please note that the Association is unable to pursue the cases further without adequate contribution from the members. However, as requested by many members, we are planning to take up the following issues with Honorable TNERC or Honorable High Court of Madras. Hence, we request the beneficiary members to remit the amount specified against each case, if not sent already.

a) Interest on Delayed Payment

The Honorable Supreme Court had directed the TANGEDCO to pay 10% interest to WEGs on delayed payment for which many members have already submitted their claims; but the TANGEDCO is silent on this issue. We, therefore, propose to file an "Execution Petition" at High Court of Madras to direct the TANGEDCO to implement the Supreme Court order. The beneficiary members are requested to pay a sum of Rs. 20,000/- each to take up the case further.

b) Time Value of Money

Supreme Court has recently upheld the APTEL's orders on Time Value of Money. The WEGs commissioned between 15/05/2006 to 31/07/2012 and selling energy to TANGEDCO stand benefitted. The case is being followed up with TNERC. Beneficiary members are requested to pay a sum of Rs. 30,000/- each.

c) Implementation of Captive Norms

Recently, we had obtained a stay order from the Honorable High Court against the circulars issued by the TANGEDCO on the above subject. The case is likely to be transferred to TNERC as ordered by the Madurai Bench of High Court of Madras. The case has to be pursued with the TNERC. It is requested that the beneficiary members with an installed capacity of 30 MW and above may kindly pay Rs. 1,00,000/- (Rupees one lakh only) and those with the installed capacity of less than 30 MW may kindly pay Rs. 25,000/- each.

d) Change over to Captive / Third Party Sale from Sale to Board

The TANGEDCO is not permitting Sale to Board WEG to change to Captive / Third Party Sale. Members want to take up the issue legally to resolve the issue. To file a petition in the High Court of Madras and for the follow-up action, each beneficiary member is requested to pay a sum of Rs. 40,000/-.

Kindly mention the name of the case while sending the payment.

With best wishes and regards,

For Indian Wind Power Association

(Prof. Dr. K Kasthurirangaian)
Chairman

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