



ARUNACHAL PRADESH STATE ELECTRICITY REGULATORY COMMISSION
O.T. BUILDING, 2ND FLOOR, NITI VIHAR MARKET, T.T. MARG
NITI VIHAR, ITANAGAR - 791111
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Petition No. MP-02 of 2026

In the matter of: Petition filed under Section-86 (1) (f) of the Electricity Act, and in furtherance of Order dated 07.03.2025 passed in TP No. 10 of 2024 for claiming tariff on a deemed generation basis for the shortfall in generation for the period between 08.05.2024 to 07.05. 2025.

M/s Kangteng Hydro Power Pvt. Ltd.

..... Petitioner

- Vs -

Department of Power, Govt. of Arunachal Pradesh And Others

..... Respondent

Coram:

Hon'ble Chairperson, R. K. Joshi

Hon'ble Member (Law), Nich Rika

Appearance:

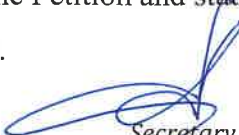
1. Mr. Choudhury Prasanjit Mishra, Director (Virtual Mode)

Date of Hearing: 31.08.2026

Date of Order: 01.09.2026

ORDER

1. The Commission has heard the Petitioner in the matter.
2. The instant Petition has been filed by M/s Kangteng Hydro Power Pvt. Ltd., Hyderabad (hereinafter referred to as the "KHPPL") under Section 86(1)(f) of the Electricity Act, 2003, pursuant to the Order dated 07.03.2025 passed in Petition No. TP-10 of 2024, seeking tariff on a deemed generation basis towards the shortfall in generation for the period from 08.05.2024 to 07.05.2025.
3. The Petitioner has submitted that, being a generator under Must-Run status, any shortfall in generation is required to be compensated by the Respondent on the basis of deemed generation and as per the Power Purchase Agreement.
4. During the course of hearing, the Petitioner submitted that certain deficiencies/discrepancies exist in the data furnished along with the Petition and stated that the requisite data and supporting details would be submitted subsequently.


Secretary
State Electricity Regulatory Commission
Arunachal Pradesh

COMMISSION'S ANALYSIS AND ORDER

5. The Commission has considered the submissions made by the Petitioner and examined the Petition and the documents placed on record. The Petition has been filed under Section 86(1)(f) of the Electricity Act, 2003, seeking adjudication of a claim relating to non-payment by the Respondent towards deemed generation.
6. The Commission observes that, for exercising its adjudicatory jurisdiction under Section 86(1)(f) of the Electricity Act, 2003, there must be a specific dispute between the parties requiring adjudication. In the present case, the Petitioner has not placed sufficient material on record to establish the existence of such a dispute with the Respondent in respect of its claim for deemed generation.
7. The Petitioner has relied upon only a single letter dated 30.05.2025 addressed to the Executive Engineer, Tawang, regarding the claim for deemed generation. Moreover, the said letter has not been accompanied by any acknowledgement of receipt, proof of delivery, dispatch record, or any official response from the Respondent. In the absence of such thin supporting evidence, the said correspondence, by itself, cannot be treated as conclusive evidence of the Respondent having received, considered, or disputed the claim of the Petitioner. No notice of dispute was ever issued by Petitioner to the respondent. Accordingly, the existence of a specific dispute between the parties has not been established on the basis of the materials placed on record.
8. The Commission further observes that the Petitioner itself has submitted that certain data requires addition/modification and such information would be furnished subsequently.
9. In view of the above, the Commission is of the view that the Petition, in its present form, is incomplete and is not supported by the requisite particulars and documents necessary for examination and adjudication of the claim. Accordingly, the Petition is not admitted and is hereby dismissed.
10. However, the Petitioner shall be at liberty to file a fresh Petition with complete and corrected data, along with all requisite particulars and supporting documents substantiating its claim, in accordance with the applicable provisions of law.

Ordered accordingly.

**S/d-
Nich Rika,
Member (Law)**

**S/d-
R. K. Joshi
Chairperson**

Date: 01-09 -2026

Place: Itanagar


Secretary
State Electricity Regulatory Commission
Arunachal Pradesh