



NATIONAL SOLAR ENERGY FEDERATION OF INDIA

Regd. No. 362 / IV of 8 May, 2013

भारतीय सौर ऊर्जा महासंघ

पंजीकरण नं 362 / IV - 8 मई, 2013

Ref. NSEFI/HCAP/2020-21/133

Date: 05.12.2020

To,

Shri C. Purushottam Kumar
The Hon'ble Registrar
High Court of Andhra Pradesh
Amaravathi, Andhra Pradesh

Subject: Request for urgent listing of W.A 392 of 2019 (matter related to RE PPA tariff and enormous delay in payment in state of AP) i.e. RE Developers vs. State of Andhra Pradesh and Others & connected batch matters

Dear Sir,

National Solar Energy Federation of India (NSEFI) is a non-profit organization with the objective of solar power development. It is an umbrella organization representing solar energy companies active along the whole photovoltaic value chain: project developers, manufacturers, engineering companies, financing institutions and other stakeholders. NSEFI is founded in 2013 by solar energy industry leaders with the vision to promote solar energy, NSEFI is a public trust based in New Delhi.

We are writing to your good offices to bring to your kind notice regarding the writ appeals which are part heard and are pending for adjudication since Dec 2019 and include issues of payment of the outstanding invoices as per agreed tariff in Power Purchase Agreement by Distribution Companies of Andhra Pradesh.

We would like to inform you that the aforementioned matter was last listed on April 8, 2020 and couldn't be heard due to the national lockdown. ***We would also bring to your attention that the our members have not been paid as full tariff agreed under the Power Purchase Agreement ("PPA") for the electricity supplied since August 2018. The payments were received at less than 50% of the agreed tariff from almost two years, and that to with a delay of almost a year. Non-payment of agreed tariff as per PPA has caused severe financial distress to our members and threatens the sustenance of the project operations, including payment of debts against the project, payment of salaries to its employees and other financial obligations as renewable companies are unable to service their debt obligations to lenders. Indian banking system is at the risk of suffering NPAs to the tune of 15000-18000 Cr due to this delay.*** This could have severe ripple effect for the entire banking system. In this regard, IA's seeking urgent listing of the said writ appeals have already been filed using the e-filing portal of the Hon'ble High Court.

It is pertinent to note that Electricity falls under "Essential Service" and the renewable companies are performing their obligations to generate Renewable Power, perform Operation and Maintenance of plant which includes repair and replacement of faulty equipment and continuing to pay salaries to their employees and are committed to assist the citizens of the state including during these troubling times, however, the DISCOMs in the state seem to be making all endeavours to avoid payments which are



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necessary for the RE companies to run their businesses. Hence, there is a grave urgency and we pray to the Hon'ble Court to dispose the captioned writ appeal at the earliest.

Therefore, we humbly request your lordship to list the Writ Appeal No. 392 of 2019 and connected batch matters before the Hon'ble High Court for final hearing immediately.

Regards,

Subrahmanyam Pulipaka
Chief Executive Officer



CC:

1. **Dr. P. K. Mishra, Principal Secretary to PM, Prime Minister's Office, GoI**
2. **Shri Sanjiv Nandan Sahai, Secretary, Ministry of Power, GoI**
3. **Shri Indu Shekhar Chaturvedi, Secretary, Ministry of New & Renewable Energy, GoI**
4. **Shri K Rajaraman, Additional Secretary, Department of Economic Affairs, Ministry of Finance, GoI**
5. **Smt. Nisha Nambiar, Chief General Manager, Financial Stability Unit, Reserve Bank of India, GoI**