

**Record of proceedings dated 21-04-2018**

O.P. No. 2 of 2017  
M/s. Richmond Power Pvt. Ltd. Vs APEPDCL

Petition filed u/s 86 (1) (a) of the Electricity Act, 2003 r/w Regulation 55 [Saving of inherent power of the Commission] of the APERC (Conduct of Business) Regulations, 1999

Sri P. Vikram, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Arguments heard in part. For continuation, the matter is posted to 05-05-2018.

Call on: 05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

I.A. No. 12 of 2017 in O.P. Nos. 1 & 2 of 2015  
APSPDCL & APEPDCL Vs GoAP

Petition seeking approval of the Commission for true-up for FY 2015-16 pertaining to the increase in power purchase costs and additional subsidy required from GoAP towards additional sales to agricultural consumers during FY 2015-16

Sri P. Shiva Rao, learned Standing Counsel for the petitioners is present.

At request, the matter is posted to 19-05-2018.

Call on: 19-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

Public hearing in the matter of allocating inflated demand by the Andhra Pradesh Gas Power Corporation Ltd (APGPCL) to its shareholders.

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri K. Vijaya Bhaskar Reddy, learned counsel for APGPCL, Sri Challa Gunaranjan, learned counsel for (i) Cement Corporation of India (ii) Vijayak Steels Limited (iii) Amara Raja Batteries Limited (iv) Super Spinning Mills Limited (v) Sri Satyanarayana Spinning Mills Limited (vi) Sree Akkamamba Textiles Limited and (vii) India Cements Limited and Sri K. Gopal Choudary, learned counsel for (i) International Paper APPM Limited (ii) The Andhra Sugars Limited (iii) The Andhra Petrochemicals Limited (iv) Hindustan Zinc Limited (Vedanta) (v) Precot Meridian Limited (vi) LG Polymers India Private Limited and (vii) Sri Dhanalakshmi Cotton & Rice Mills Private Limited, learned objectors are present.

At request, the matter is posted to 02-06-2018.

Call on:

02-06-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

Public hearing for procurement of 400 MW Power from M/s. Simhapuri Energy Limited for a period of 12 years against 1000 MW Bids using imported coal from captive mines as fuel under long term by APSPDCL under DBFOO bidding - Approval for tariff adoption under Section 63 of the Electricity Act 2003.

Sri K. Gopal Choudary, learned counsel for M/s. Simhapuri Energy Limited and Sri P. Shiva Rao, learned Standing Counsel for APSPDCL are present.

Sri P. Shiva Rao, learned Standing Counsel for APSPDCL is still awaiting instructions. Hence, the matter is posted at request to 26-05-2018.

Call on: 26-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P.No.47 of 2017 & I.A. No. 28 of 2017

A.P. Power Development Company Ltd (APPDCL) Vs APSPDCL & APEPDCL

Application for determination of tariff for supply of electricity generated at the Sri Damodaram Sanjeevaiah Thermal Power Station (SDSTPS) (2 x 800 MW) to the APDISCOMs from 05-02-2015 for the rest of the control period of 2014-19 of 2 x 800 MW

Application filed u/s 94 (2) of the Electricity Act, 2003 praying the Commission to pass interim orders directing the respondents to pay an interim tariff of Rs4.04 per kWh for the energy supplied by it to the respondents during FY 2017-18, pending disposal of the main petition in O.P.No.47 of 2017.

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

At request of Sri K. Gopal Choudary, learned counsel for the petitioner, the matter is posted for rejoinder to 05-05-2018.

Call on: 05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

I.A.No.5 of 2017 in O.P.No.28 of 2016

APSPDCL Vs ---

In the matter of approval for additional surcharge from Open Access consumers during FY 2017-18 under Section 42 (4) of the Electricity Act, 2003

Sri P. Shiva Rao, learned counsel for the petitioners, Sri K. Gopal Choudary, learned counsel for (i) ITC Limited (ii) Sri Small Hydro Power Developers Association, Sri P. Sri Raghuram, Senior counsel representing Sri Alladi Ravinder, learned counsel for M/s. Sree Rayalaseema Alkalies and Allied Chemicals Limited, Sri Anand K Ganesan, learned counsel for Indian Energy Exchange (IEX) and Sri Challa Gunaranjan, learned counsel for (i) M/s. Parasakti Cement Industries Limited (ii) M/s. KCP Cement & Sugar Industries Limited (iii) M/s. Greenco (iv) Reddy Laboratories and (v) Mylan Laboratories, learned objectors are present.

Arguments of Sri P. Sri Raghuram, Senior Counsel, Sri Anand K Ganesan, Sri Challa Gunaranjan and Sri K. Gopal Choudary, learned counsel for the objectors are heard. The Distribution Companies are directed to produce the data of actuals for 2017-18 for reference of the Commission with service of copies on all the objectors. For reply by Sri P. Shiva Rao, learned Standing Counsel for APSPDCL, the matter is posted to 05-05-2018.

Call on:

05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

I.A.No.6 of 2017 in O.P.No.29 of 2016

APEPDCL Vs ---

In the matter of approval for additional surcharge from Open Access consumers during FY 2017-18 under Section 42 (4) of the Electricity Act, 2003

Sri P. Shiva Rao, learned counsel for the petitioners, Sri K. Gopal Choudary, learned counsel for (i) ITC Limited (ii) Sri Small Hydro Power Developers Association, Sri P. Sri Raghuram, Senior counsel representing Sri Alladi Ravinder, learned counsel for M/s. Sree Rayalaseema Alkalies and Allied Chemicals Limited, Sri Anand K Ganesan, learned counsel for Indian Energy Exchange (IEX) and Sri Challa Gunaranjan, learned counsel for (i) M/s. Parasakti Cement Industries Limited (ii) M/s. KCP Cement & Sugar Industries Limited (iii) M/s. Greenco (iv) Reddy Laboratories and (v) Mylan Laboratories, learned objectors are present.

Arguments of Sri P. Sri Raghuram, Senior Counsel, Sri Anand K Ganesan, Sri Challa Gunaranjan and Sri K. Gopal Choudary, learned counsel for the objectors are heard. The Distribution Companies are directed to produce the data of actuals for 2017-18 for reference of the Commission with service of copies on all the objectors. For reply by Sri P. Shiva Rao, learned Standing Counsel for APSPDCL, the matter is posted to 05-05-2018.

Call on:

05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No.5 of 2017

APSPDCL & APEPDCL Vs ---

Petition filed under Regulation 55 (1) & (2) of APERC (Conduct of Business) Regulations, 1999 and Regulation 23 to 26 of the APERC (Terms and Conditions for tariff determination for wind power projects in the State of AP for the period of FY 2015-16 to FY 2019-20) Regulations, 2015 requesting the Commission to curtail or limit the control period of the above mentioned Regulation No.1 of 2015 upto 31-03-2017

Sri P. Shiva Rao, learned Standing Counsel for the petitioners is present.

Orders are not ready. For orders, the matter is posted to 05-05-2018.

Call on:

05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

Public hearing on Load Forecasts, Resource Plans, Investment Plans and State Electricity Plan

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri K. Gopal Choudary, learned Amicus Curiae are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, as the plans are said to be under consideration of APPCC, the matter is posted to 05-05-2018.

Call on:

05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No.57 of 2014 & I.A.No.8 of 2015  
Sardar Power Pvt Ltd Vs APEPDCL

Petition filed for determination of capital cost and consequent re-determination of tariff for the first 10 years of operation with effect from 17.07.2008 (being COD of the project) pursuant to the Judgment of Hon'ble ATE dt.20.12.2012 in Appeal No. 172 of 2011 and batch

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Time extended at request for the views of the respondent on the information / documents furnished by the petitioner till 05-05-2018.

Call on: 05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P.No.17 of 2015  
M/s. IL & FS Wind Farms Ltd Vs APSPDCL & 3 others

Petition under Sections 142, 143 / 146 & 129 of the Electricity Act, 2003 for punishment for non-compliance of directions of the Commission and for implementation of its orders

Sri D. Siva Darshan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Arguments of Sri D. Siva Darshan, learned counsel for the petitioner are heard. For reply by Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted to 05-05-2018.

Call on: 05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P.No.33 of 2017 & I.A.No.6 of 2018  
M/s. NSL Sugars Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Application under Section 86 (1) (f) of the Electricity Act, 2003 r/w Regulation 55 of the APERC (Conduct of Business) Regulation 1999 seeking leave to raise additional ground

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Counter filed in I.A.No.6 of 2018. For hearing, the matter is posted to 19-05-2018.

Call on: 19-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P.No.34 of 2017 & I.A.No.7 of 2018  
M/s. NSL Sugars (Tungabhadra) Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Application under Section 86 (1) (f) of the Electricity Act, 2003 r/w Regulation 55 of the APERC (Conduct of Business) Regulation 1999 seeking leave to raise additional ground

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Counter filed in I.A.No.7 of 2018. For hearing, the matter is posted to 19-05-2018.

Call on: 19-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN



I.A. No. 5 of 2018 in O.P. No. 2 of 2013

M/s. Bharat Alloys & Energy Limited Vs APSPDCL

Petition under Section 62 r/w 86 of the Electricity Act, 2003 for revisiting of the conditions stipulated in the Retail Supply Tariff Order for the FY 2013-14 for the Category of HT-1 (b) consumers

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Time extended for counter at request till 05-05-2018.

Call on:

05-05-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P.No.30 of 2017

APSPDCL & APEPDCL Vs M/s. GMR Vemagiri Power Generation Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 370 MW project at Vemagiri (V), Kadium (M), East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, leaned Standing Counsel for the petitioners and Sri K. Siddartha, learned counsel for GMR Vemagiri Power Generation Limited are present.

A communication has been received from the learned Standing Counsel of the Commission that a Writ Petition has been filed before the Hon'ble High Court questioning the jurisdiction of the Commission to entertain or decide this petition.

Hence await any interim or final orders of the Hon'ble High Court, the matter is posted to 23-06-2018.

Call on:

23-06-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No.20 of 2015

Empee Power Co (I) Ltd Vs APSPDCL

Petition u/s 62 r/w 86 (1) of the Electricity Act, 2003 for revision of tariff specified under Article 2.2 of the Power Purchase Agreement dated 23.05.2007

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Orders pronounced (*vide separate order*)

**"25.** The Original Petition is dismissed. No costs".

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN