

Record of proceedings dated 31-03-2018

O.P.No.48 of 2017
APSPDCL & APEPDCL Vs APGENCO

Application filed under Section 21 (1), (5) of the A.P. Electricity Reform Act, 1998 for granting consent for the Amended and Restated PPA for 2 x 25 MW Nagarjuna Sagar Tail Pond Hydro Electric Station (NSTPHES) dated 02-08-2017

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

No objector is present like on earlier occasions. Arguments of Sri P. Shiva Rao, learned Standing Counsel for the petitioners are heard. For orders, the matter is posted to 07-04-2018.

Call on: 07-04-2018
at 11:00 AM

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 is present.

Sri P. Shiva Rao, learned Standing Counsel for the utilities sought for further time for furnishing further details. Hence, the matter is posted to 07-04-2018.

Call on: 07-04-2018
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.37 of 2017 & I.A.No.13 of 2017
M/s. Tata Power Renewable Energy Ltd., Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

Sri N. Phani, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the AP Discoms are present.

At request, the matter is posted to 28-04-2018.

Call on: 28-04-2018
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.38 of 2017 & I.A.No.14 of 2017
M/s. JED Solar Parks Pvt Ltd. Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

Sri N. Phani, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the AP Discoms are present.

At request, the matter is posted to 28-04-2018.

Call on: 28-04-2018
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.39 of 2017 & I.A.No.15 of 2017
M/s. POLY Solar Parks Pvt Ltd. Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

Sri N. Phani, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the AP Discoms are present.

At request, the matter is posted to 28-04-2018.

Call on: 28-04-2018
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.66 of 2017
M/s. Jindal Aluminium Ltd Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

Sri N. Phani, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the AP Discoms are present.

At request, the matter is posted to 28-04-2018.

Call on: 28-04-2018
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 30 of 2016

FOR ORDERS

M/s. SIFLON Drugs Vs APTRANSCO, APSPDCL & NREDCAP

Petition under Section 86 (1) (f) of the Electricity Act, 2003 read with Regulation 8 of APERC (Conduct of Business) Regulations 1999 and seeking directions for giving credit of the wind power units amounting to 1.2 million by banking the units for the period between 23-03-2015 to 14-06-2016

Sri Y.A. Raman, representing Sri S.V.S. Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for AP Discoms are present.

Orders pronounced (*vide separate order*)

- “10.** Therefore, the respondents 1 and 2 shall give credit to the wind power generated during the period between 23-03-2015 and 14-06-2016 and evacuated into the grid by the petitioner’s captive wind power unit and the said unutilized banked energy shall be considered as deemed purchase by respondents 1 and 2 at the pooled power purchase cost as determined by the Andhra Pradesh Electricity Regulatory Commission for the applicable years with the energy settlement being done on monthly basis and the purchase price shall be paid by respondents 1 and 2 to the petitioner accordingly.
- 11.** The Original Petition is allowed accordingly. No costs”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

I.A.Nos.8 to 13 of 2018 in O.P.No.1 of 2017

APSPDCL & APEPDCL Vs M/s Sri Vijayeebhava Enterprises Private Ltd. & others

I.A.No.8 of 2018 filed by the petitioners / APDISCOMs under Clause 55 of APERC (Conduct of Business) Regulation to reopen O.P. No. 1 of 2017

I.A. Nos.9 to 13 of 2018 filed by Respondents for urgent disposal of the main petition i.e., O.P.No.1 of 2017 - (i) I.A.No.9 of 2018 (on behalf of Respondent No.44 – M/s. Mytrah Vayu Tungabhadra Pvt. Ltd); (ii) I.A.No.10 of 2018 (on behalf of Respondent No.45 – M/s. Vayu Urja Bharat Pvt. Ltd); (iii) I.A.No.11 of 2018 (on behalf of Respondent No.36 – M/s. Sterling Agro Industries Ltd); (iv) I.A. No. 12 of 2018 (on behalf of Respondent No.33 – M/s. Ostro Anantapur Pvt. Ltd) & (v) I.A. No. 13 of 2018 (on behalf of Respondent No.34 – M/s. Orange Urvakonda Wind Power Pvt. Ltd)

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri V. Sailendra representing (i) M/s. Sri Vijayeebhava Enterprises Private Limited (ii) M/s. Karam Chand Thapar & Bros Limited (iii) M/s. Jindal Aluminium Limited (iv) M/s. Levelstate Systems Private Limited (v) M/s. Shrinath Gum & Chemicals (vi) M/s. Sai Pet Preforms (vii) M/s. Hi-Tech Systems & Services Limited (viii) M/s. Kaushaliya Devi Dhoot (ix) M/s. Satyanarayana Dhoot (x) M/s. Chimique (India) Limited (xi) M/s. Rajasthan Gum Private Limited (xii) M/s. Jai Bharat Gum & Chemicals Limited (xiii) M/s. Dinesh Enterprises (xiv) M/s. KCT (20.4 MW) Renewable Energy Private Limited & (xv) M/s. ZR Renewable Energy Private Limited, Sri N. Phani learned counsel representing Sri Challa Gunaranjan, learned counsel for (i) M/s. Mytrah Vaayu (Indravathi) Private Limited (ii) M/s. Orange Anantapur Wind Power Private Limited (iii) M/s. Jed Solar Parks Private Limited & (iv) M/s. Poly Solar Parks Private Limited, Sri Hemant Sahai and Sri N. Phani, learned counsel representing Sri Challa Gunaranjan, learned counsel for (i) M/s. Ostro Anantapur Private Limited (ii) M/s. Orange Urvakonda Wind Power Private Limited (iii) M/s. Sterling Agro Industries Limited (iv) M/s. Renew Wind Energy Private Limited (v) M/s. Mytrah Vayu

(Tungabhadra) Private Limited & (vi) M/s. Vayu Urja Bharat Private Limited, learned counsel for respondents and Sri V. Sailendra representing Indian Wind Power Association (IWPA) – AP State Counsel, learned objector are present.

Sri P. Shiva Rao, learned Standing Counsel for the A.P. Discoms and Sri Hemant Sahai, learned counsel for some of the respondents are present and their arguments are heard. Learned counsel has no objection for the matter being reopened and the two decisions cited by the A.P. Distribution Companies and the Undertaking said to have been given by M/s. Axis Wind Farms (Anantapur) Private Limited being received on record. Apart from submitting his arguments on merits, Sri Hemant Sahai requested for expeditious disposal of the matter for the reasons stated in I.A.Nos.9 to 13 of 2018 and sought a week's time to file his written submissions. Oral arguments are concluded. I.A.No.8 of 2018 is allowed and the two decisions cited and the Undertaking affidavit will be considered on merits in accordance with law along with the other material already placed on record and the submissions already made by the learned counsel for both parties. I.A.Nos.9 to 13 of 2018 are ordered specifying that the matter will be disposed of as expeditiously as possible subject to the other work of the Commission and physical possibilities for early disposal. For filing written submissions of Sri Hemant Sahai, learned counsel, the matter is posted to 07-04-2018.

Call on:

07-04-2018
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN