

//without prejudice//

Admn.	For Approval
Engg.	25/2
Law	26/2/20
Chairman	

February 24, 2020

The Secretary  
Andhra Pradesh Electricity Regulatory Commission  
11-4-660, 4<sup>th</sup> Floor, Singreni Bhavan, Red Hills,  
Hyderabad- 500 004

Sub: Public notice dated 13.02.2020 regarding public hearing to be held on 10.03.2020 in respect of proposed amendment of Regulation 4 of 2017 i.e., APERC (Forecasting, Scheduling and Deviation Settlement of Solar and Wind Generation) Regulations, 2017

Kind attention: The Secretary, APERC

Dear Sir,

With reference to the above subject, we would like to bring to your kind attention that several wind and solar project developers across the country have challenged the legal and constitutional validity of Forecasting, Scheduling and DSM mechanism Regulations passed by the respective State Electricity Regulatory Commissions in various High Courts and interim orders were also passed to that effect that no coercive actions may be taken against the renewable energy developers.

Similarly, aggrieved by the APERC (Forecasting, Scheduling and Deviation Settlement of Solar and Wind Generation) Regulation, 2017" i.e. Regulation No. 4 of 2017 (herein after referred to as 'Regulations'), several renewable energy developers have filed the following Writ Petitions before the Hon'ble High Court of Andhra Pradesh and Supreme Court of India, challenging the legal and constitutional validity of Regulations:

1. Order dated 26.04.2019 of the Hon'ble Supreme Court in CA 4404 of 2019;
2. Interim orders dated 30.12.2019, 17.10.2019, 25.06.2019, 17.06.2019, 03.06.2019, 03.06.2019 and 25.04.2019 passed by the Hon'ble High Court of Andhra Pradesh in WP No.5706 of 2019;
3. Interim orders dated 30.12.2019, 17.10.2019, passed by the Hon'ble High Court of Andhra Pradesh in WP 15513 of 2019;
4. Interim orders dated 30.12.2019, 17.10.2019 and 19.09.2019, passed by the Hon'ble High Court of Andhra Pradesh in WP 13860 of 2019;

Aarohi Solar Pvt Ltd  
CIN : U32109HR2008PTC038030

Acme Jaisalmer Pvt Ltd  
CIN : U40104HR2009PTC039681

Vishwatma Solar Energy Pvt Ltd  
CIN : U40106HR2014PTC051647

Niranjana Solar Energy Pvt Ltd  
CIN : U32106HR2014PTC051626

Dayanidhi Solar Power Pvt Ltd  
CIN : U40106HR2014PTC051645

Plot No. 152, Sector-44, Gurgaon-122002 (Haryana) India; Tel: +91124-7117000,  
Fax : +91124-7117001, Email : [info@acme.in](mailto:info@acme.in) Website : [www.acme.in](http://www.acme.in)





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Thus, it can be seen from the above that the Hon'ble High Court

- (a) passed interim orders to not to take any coercive steps on bank guarantees;
- (b) admitted the aforesaid writ petitions and posted for final hearing;
- (c) directed to continue the interim orders until then.

The Hon'ble Supreme Court in the matter, CA No. 4404 of 2019, has remitted back the issue to the Hon'ble High Court of Andhra Pradesh for adjudicating on merits and the same is sub-judice before the Hon'ble High Court of Andhra Pradesh.

In view of the above, we humbly submit that the public notice dt.13.2.2020, issued by the Hon'ble APERC for holding a public hearing on 10<sup>th</sup> March 2020, for proposed steps to amend the Regulations may be kept in abeyance till the matter is disposed off by the Hon'ble High Court of Andhra Pradesh

Thanking you,

Yours sincerely

Thanking you.

Yours Sincerely,

For AAROHI SOLAR PRIVATE LIMITED & Rest of 4 SPV's

**MVVS REDDY)**

**Asst Vice President – BD**

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**Mobile No: 9010200105**

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