



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

4thFloor, Singareni Bhavan, Red Hills, Hyderabad 500004

WEDNESDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

:Present:

Justice C.V. Nagarjuna Reddy, Chairman
Sri Thakur Rama Singh, Member
Sri P.V.R. Reddy, Member

O.P.Nos.4,5,6,7 & 8 of 2022

OP No.4 of 2022:

Between:

Aeolus Wind Parks Private Limited,
having its registered office at Plot No.1202, 1215A,
Door No. 8-2-293/82/A/1202, S.L.Jubilee,
Road No.61, Jubilee Hills, Hyderabad - 500033

... Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee,
A.P. Transco, Vidyut Soudha, Gunadala, Vijayawada-500082.

...Respondents

OP No.5 of 2022:

Between:

Danu Wind Parks Private Limited,
having its registered office at Plot No.1202,1215A,
Door No.8-2-293/82/A/1202, S.L.Jubilee,
Road No.61, Jubilee Hills, Hyderabad - 500033

... Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee,
A.P. Transco, Vidyut Soudha, Gunadala, Vijayawada-500082.

...Respondents

OP No.6 of 2022:

Between:

Danu Wind Parks Private Limited,
having its registered office at Plot No.1202,1215A,
Door No.8-2-293/82/A/1202, S.L.Jubilee,
Road No.61, Jubilee Hills, Hyderabad 500033

...Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee,
A.P. Transco, Vidyut Soudha, Gunadala, Vijayawada-500082.

...Respondents

OP No.7 of 2022

Between:

Dindore Wind Parks Private Limited,
having its registered office at Plot No. 1202,1215A,
Door No.8-2-293/82/A/1202, S.L. Jubilee,
Road NO.61, Jubilee Hills, Hyderabad - 500033

...Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee,
A.P. Transco, Vidyut Soudha, Gunadala, Vijayawada-500082.

...Respondents

OP No.8 of 2022

Between:

Fujin Wind Parks Private Limited,
having its registered office at Plot No.1202,1215A,
Door No.8-2-293/82/A/1202, S.L. Jubilee,
Road No.61, Jubilee Hills, Hyderabad - 500033

...Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee,
A.P. Transco, Vidyut Soudha, Gunadala, Vijayawada-500082.

...Respondents

All these Original Petitions have come up for final hearing today in the presence of Sri Challa Viswanath, counsel representing Sri S.Vivek Chandrasekhar, learned Counsel for the Petitioners, and assisted by Smt. Uma Devi Jaladi, Ecoren Group Founder's Office-representing the petitioner in OP No.4 of 2022; and Sri P.Shiva Rao, learned Standing Counsel for the respondents; that after hearing the learned counsel for both the parties and after carefully considering the material available on record, this Commission made the following :

COMMON ORDER

All these Original Petitions are filed with the sole grievance that the respondents are not paying Late Payment Surcharge (LPS) for the delayed payment of the principal amounts. These petitions underwent several adjournments for the reason that the respondents have been negotiating with the petitioners on the quantum of LPS payable.

Today, at the hearing, Sri Viswanath Challa, learned counsel representing the petitioners and Smt.Uma Devi Jaladi (Ecoren Group Founder's Office) representing the petitioner in OP No.4 of 2022, submitted that during the negotiations the petitioners offered a rebate of 45%; and that the respondents have agreed for the same.

Sri P. Shiva Rao, learned Standing Counsel for the respondents, submitted that the respondents have agreed only to pay 50% but not 55% of LPS. Considering the fact that the petitioners themselves have offered a rebate of 45% in all these OPs and the dire financial state of the respondents, we feel that payment of 50% of LPS, instead of 55% as allegedly agreed by the petitioners, will serve the ends of justice.

Accordingly, all these Original Petitions are disposed of in the following terms:

- (a) The respondents shall calculate the LPS as prescribed in the Power Purchase Agreements upto the filing of each of the Original Petitions and communicate the same to the petitioners within one week from the date of receipt of a copy of this Order; and
- (b) the respondents shall pay 50% of the LPS so arrived at in three equal monthly instalments commencing from 1st April, 2024.

Order passed on this the 21st day of February, 2024.

**Sd/-
P.V.R.Reddy
Member**

**Sd/-
Justice C.V. Nagarjuna Reddy
Chairman**

**Sd/-
Thakur Rama Singh
Member**