



**ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION**  
4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad 500 004

WEDNESDAY, THE NINETEENTH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY

:Present:

**Sri Justice C.V. Nagarjuna Reddy, Chairman**

**O.P.No. 40 of 2019**

**Between:**

M/s. GMR Vemagiri Power Generation Ltd  
GMR Vemagiri Power Generation Ltd  
Having its registered office at Skip House  
25/1, Museum Road, Bangalore  
Rep. by its Manager-Corporate Relations  
Kalyan Chakravarthy S/o. Y. Raja Rao

**... Petitioner**

**A N D**

1. Southern Power Distribution Company of Andhra Pradesh Ltd  
D.No.19-13-65/A, Tiruchanoor Road  
Tirupathi, Chittoor District, Andhra Pradesh

**... Respondent No.1**

2. Eastern Power Distribution Company of Andhra Pradesh Ltd  
Corporate Office, P&T Colony, Seethammadhara  
Visakhapatnam

**... Respondent No.2**

3. M/s Spectrum Power Generation Limited  
Plot No 241/A, 8-2-293/A/241/A, 4<sup>th</sup> Floor  
Road No.36, Jubilee Hills  
Hyderabad – 500033

**... Respondent No.3**

This Original Petition has come up for hearing finally on 19-02-2020 in the presence of Ms. Pujitha Gorantla, learned counsel for the petitioner / M/s. GMR Vemagiri Power Generation Limited and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities. After carefully considering the material available on record and after hearing the arguments of the learned counsel, the Commission passed the following:

**ORDER**

This Original Petition is filed for the following reliefs:

- a. Issue a direction to stop the ongoing procurement of Short term power by the Respondent No.1 & 2 from Respondent No.3.
- b. Issue directions under section 86 (2) of the Electricity Act, 2003 to Respondent No.1 & 2 to send recommendations to GoAP for sending necessary recommendations to MoPNG, Government of India to resume the APM/Non-APM/Pre-NELP gas from Respondent No.3 to GVPGL.
- c. Grant such other relief as this Hon'ble Commission may deem fit in the facts and circumstances of the instant case.

I have heard Ms. Pujitha Gorantla, learned counsel for the petitioner and perused the record. In the light of the fact that in the Tariff Order for FY 2020-21, the Commission has not accepted the proposal of respondents 1 & 2 to permit them to buy power from respondent No.3, this Original Petition to the extent of prayer 'a.' has become *infructuous*. As regards, prayer 'b.' in the opinion of the Commission, it is not within its jurisdiction to issue any direction to respondents 1 & 2 to send recommendations to Government of Andhra Pradesh for making efforts to secure the gas linkage to the petitioner from Government of India. Therefore, this prayer is rejected.

In the light of the above, the Original Petition is disposed of, however, with liberty to the petitioner to oppose the review if any filed by respondent No.3 in respect of Tariff Order for FY 2020-21 (as anticipated by the learned counsel for the petitioner).

This order is corrected and signed on this the **19<sup>th</sup> day of February, 2020**

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