



## ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad 500 004

SATURDAY, THE THIRD DAY OF AUGUST  
TWO THOUSAND NINETEEN

:Present:

**Justice G. Bhavani Prasad, Chairman**  
**Dr. P. Raghu, Member**  
**Sri P. Rama Mohan, Member**

**Order under Clause 3 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Section 92 (1) read with Section 82 (3) of the Electricity Act, 2003 (Act 36 of 2003) and Section 9 (1) of the A.P. Electricity Reform Act, 1998 (Act 30 of 1998)**

Sub: Head Quarters / Head Office and other office of the Andhra Pradesh Electricity Regulatory Commission.

- Ref: (1) G.O.Ms.No.22 Energy (Power.III) Department dated 30-07-2019 obtained from the AP Government Portal.
- (2) Lr.No. APERC/Secy/F.No.A-1069 dated 04-01-2019 of the Secretary, APERC, Hyderabad.
- (3) Memo No.86/Power-III/2016-2 dated 19-02-2019 of the State Government.
- (4) Lr.No.APERC /Secy / F. No.A-1069 / D.No. 314 / 2019 dated 30-04-2019 of the Secretary, APERC, Hyderabad.
- (5) Letter No.ENE01/404/2019-Power-III-1 dated 02-07-2019 of the State Government.
- (6) Lr.No.APERC/Admn./DD(P)/A-1069 dated 04-07-2019 of the Secretary, APERC, Hyderabad addressed to the Chairman & Managing Director, AP Transco.
- (7) Lr.No.APERC/Admn./DD(P)/A-1069 dated 09-07-2019 of the Secretary, APERC, Hyderabad addressed to the Chairman & Managing Director, AP Transco.
- (8) Lr.No.JMD (Fin. Comml. IPC.HRD&IT) /Peshi/VS dated 09-07-2019 of the Joint Managing Director, AP Transco addressed to the Commission Secretary, APERC.
- (9) Lr.No.APERC/Admn./DD(P)/A-1069 dated 16-07-2019 of the Secretary, APERC, Hyderabad addressed to the Chairman & Managing Director, AP Transco.

The Government of Andhra Pradesh had notified Capital Region of Andhra Pradesh State as the headquarters of the Andhra Pradesh Electricity Regulatory Commission with immediate effect through reference (1) cited.

**2.** Therefore, to give due effect to the said statutory notification, it is hereby declared that with effect from the date of the statutory notification, the capital region of the Andhra Pradesh State shall be the place of the head office of the Andhra Pradesh Electricity Regulatory Commission under Section 82 (3) of the Electricity Act, 2003 (Act 36 of 2003).

**3.** The State Government had been requested under reference (2) cited to notify the Commission as functioning from Amaravati with effect from 01-06-2019 after providing suitable accommodation to the Commission by 01-05-2019. Vide reference (3) cited, the Government informed that the District Collectors of Krishna and Guntur were requested to find suitable office accommodation to the Commission. Under reference (4) cited, the Commission informed the Government that the receipt of information from the District Collectors in this regard is still being awaited and requested not to issue a notification under Section 82 (3) of the Electricity Act, 2003 (Act 36 of 2003) before any suitable Government accommodation or suitable private accommodation is identified and accepted by the State Government and informed to the Commission and the Commission is able to shift its head office physically within a minimum reasonable time. Under reference (5) cited, the State Government stated that the Commission is requested to shift its office from the State of Telangana to the State of Andhra Pradesh immediately making own arrangements. The Chairman and Managing Director, Transmission Corporation of Andhra Pradesh Limited was requested to scan for suitable accommodation and inform the Commission, if any.

Through reference (6) cited, the Commission requested the Chairman and Managing Director, Transmission Corporation of Andhra Pradesh Limited to secure suitable accommodation for the Commission and intimate the Commission, as it has no physical presence in the Capital Region, to enable it to consider the suitability of the proposed accommodation, acceptability of any proposed terms and conditions and finalization of the other required details and procedural formalities to enable the Commission to shift its headquarters to Amaravati at the earliest. On coming to know that Transmission Corporation of Andhra Pradesh Limited issued an advertisement for 6000 to 7000 sft for the proposed office of the Commission, the Commission wrote reference (7) cited reiterating that a minimum space requirement of 12000 sft be searched for as originally communicated by it. On being informed by Transmission Corporation of Andhra Pradesh Limited about a Committee, in which one person from the Commission is also a Member, vide reference (8) cited, the Commission addressed a letter under reference (9) cited to the Chairman and Managing Director, Transmission Corporation of Andhra Pradesh Limited requesting to forward a copy of the proceedings through which the said Committee is constituted, as the Commission has not received any prior intimation about the constitution of such Committee and the modalities of its working. While so, the statutory notification under reference (1) cited was issued.

**4.** Thus the physical accommodation/office space for locating the head office of the Commission is yet to be secured and made ready for the convenient functioning of the Commission in the capital region of the Andhra Pradesh State. Till such time, such accommodation/office space is secured and made ready for the functioning of the Commission, the functioning of the Commission has to continue as it was earlier to avoid any inconvenience to all the stakeholders of the power sector and the public

at large and to avoid any default in the performance of its statutory duties and functioning by the Commission. Continuance of functioning of the Commission from the present office till such time is an absolute and inevitable necessity to avoid any such inconvenience or default.

**5.** Clause 3 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 provides in sub-clause (1) for the Commission making any order in that behalf specifying the place of the offices of the Commission and apart from the headquarters and other offices of the Commission remaining open on such days and times as the Commission may direct, sub-clause (4) also provides for the Commission to hold sittings for hearing matters at the headquarters or at any other place on days and times to be specified by the Commission. Similarly, Section 92 (1) of the Electricity Act, 2003 (Act 36 of 2003) enables the appropriate Commission to meet at the head office or any other place at such time as the Chairperson may direct to transact its business. Likewise, Section 9 (1) of the A.P. Electricity Reform Act, 1998 (Act 30 of 1998) enables the Commission to conduct its proceedings, consultations and hearings at any place in the State.

**6.** The A.P. Reorganisation Act, 2014 (Act 6 of 2014) in sub-Section (1) of Section 5 declared that Hyderabad, in the then existing State of Andhra Pradesh, shall be the common capital of the State of Telangana and the State of Andhra Pradesh for such period not exceeding ten years and Hyderabad thus continues to be common capital for the State of Andhra Pradesh until the expiry of the period specified in sub-Section (1) of Section 5 of the A.P. Reorganisation Act, 2014 (Act 6 of 2014). As such the provisions of the electricity laws referred to above enable the Commission to continue to locate its other office at Hyderabad to hold its

sittings for hearing the matters, transact its business at its meetings and conduct its proceedings, consultations and hearings at the present office, while it can perform all such functions at its head quarters in the capital region of the Andhra Pradesh State on establishment of its head office at the headquarters or even before the establishment of such head office, at any place in the capital region of Andhra Pradesh State or for that matter, any other place in the Andhra Pradesh State.

7. As the physical possibility of establishing its head office at its head quarters thus inevitably consumes considerable time and to enable continuance in performance of its statutory duties and functions without disruption and default and to safeguard the convenience, rights and interests of the stakeholders, the present office of the Andhra Pradesh Electricity Regulatory Commission at Door No.11-4-660, 4<sup>th</sup> Floor, Singareni Bhavan, Red Hills, Hyderabad – 500 004 shall continue to be other office of the Andhra Pradesh Electricity Regulatory Commission where the Andhra Pradesh Electricity Regulatory Commission continues to hold its sittings for hearing the matters, transact its business and conduct proceedings, consultations and hearings, until further orders.

8. The order is issued in exercise of the powers of Andhra Pradesh Electricity Regulatory Commission under Clause 3 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Section 92 (1) read with Section 82 (3) of the Electricity Act, 2003 (Act 36 of 2003) and Section 9 (1) of the A.P. Electricity Reform Act, 1998 (Act 30 of 1998).

This order is corrected and signed on this the **3<sup>rd</sup> day of August, 2019.**

**Sd/-**  
**P. Rama Mohan**  
Member

**Sd/-**  
**Dr. P. Raghu**  
Member

**Sd/-**  
**Justice G. Bhavani Prasad**  
Chairman