

**Record of proceedings dated 03-11-2018**

O.P.No.2 of 2017  
M/s. Richmond Power Pvt. Ltd. Vs APEPDCL

Public hearing on the Petition filed u/s 86 (1) (a) of the Electricity Act, 2003 r/w Regulation 55 [Saving of inherent power of the Commission] of the APERC (Conduct of Business) Regulations, 1999

Sri M. Abhinay Reddy, learned counsel representing Sri P. Vikram, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Sri P. Shiva Rao, learned Standing Counsel for the respondent stated that the committee constituted by the State Government has not yet finalized its decision and sought for time. Sri M. Abhinay Reddy, learned counsel representing Sri P. Vikram, learned counsel for the petitioner has also made the same request. Hence, the matter is posted to 01-12-2018.

Call on:

01-12-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

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MEMBER / PR

Sd/-  
CHAIRMAN

O.P.No.47 of 2017 & I.A.No.28 of 2017  
A.P. Power Development Company Ltd (APPDCL) Vs APSPDCL & APEPDCL

Public hearing on the Application for determination of tariff for supply of electricity generated at the Sri Damodaram Sanjeevaiah Thermal Power Station (SDSTPS) (2 x 800 MW) to the APDISCOMs from 05-02-2015 for the rest of the control period of 2014-19 of 2 x 800 MW

Application filed u/s 94 (2) of the Electricity Act, 2003 praying the Commission to pass interim orders directing the respondents to pay an interim tariff of Rs4.04 per kWh for the energy supplied by it to the respondents during FY 2017-18, pending disposal of the main petition in O.P.No.47 of 2017.

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The office of the Commission sought for further time to submit its report. Hence, the matter is posted finally to 17-11-2018.

Call on: 17-11-2018  
at 11:00 AM

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CHAIRMAN

O.P.No.8 of 2018  
APSPDCL & APEPDCL Vs M/s. Lanco Kondapalli Power Ltd

Public hearing on the Petition filed u/s 86 (1) (b) of the Electricity Act, 2003 seeking renewal of PPA with M/s. Lanco Kondapalli Power Ltd.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri Challa Gunaranjan, learned counsel for the respondent are present.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners sought for time for filing the response of the petitioners to the objections of APSEB Engineers' Association and APSEB Assistant Engineers' Association. Hence, the matter is posted to 17-11-2018.

Call on: 17-11-2018  
at 11:00 AM

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CHAIRMAN

I.A. No. 12 of 2017 in O.P. Nos. 1 & 2 of 2015  
APSPDCL & APEPDCL Vs GoAP

Public hearing on the Petition seeking approval of the Commission for true-up for FY 2015-16 pertaining to the increase in power purchase costs and additional subsidy required from GoAP towards additional sales to agricultural consumers during FY 2015-16

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

The office of the Commission has served a copy of the clarification and additional information required to be furnished by the Distribution Companies for consideration of the request of true up on merits on the learned Standing Counsel for the Distribution Companies. At request of Sri P. Shiva Rao, learned Standing Counsel for the petitioners, for response of the Distribution Companies to the office of the Commission, the matter is posted to 24-11-2018.

Call on:

24-11-2018  
at 11:00 AM

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CHAIRMAN

O.P.No.46 of 2017

APSPDCL & APEPDCL Vs APGENCO & A.P. Solar Power Corporation Ltd

Public hearing on the Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for approval of long term Power Purchase Agreement (PPA) signed by APDISCOMs with APGENCO on 01-07-2017 and to pass orders regulating the price for purchase of 400 MW solar power generated from the Ananthapuram – II Ultra Mega Solar Park proposed at Talaricheruvu (V), near Tadipatri, Anantapuramu District, AP @ the tariff of Rs.3.57 / Kwh .

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri D.V.S. Someswara Rao, SAO / APGENCO are present.

Orders are not pronounced as it is found on a study of the record by the Commission and its office that the version of the petitioners does not present a consistent version on the issues of land cost, the manner of arriving at the land cost and the agreements and the LOIs etc., referred to are never placed before the Commission to know their contents. It was also seen that the request said to have been made to the State Government regarding land cost is still stated to be pending. Let the petitioners place all the relevant details and documents before the Commission explaining all the inconsistencies in their version and also pursue with the State

Government for a decision on the land cost for which purpose the matter is posted to 01-12-2018.

Call on: 01-12-2018  
at 11:00 AM

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O.P.No.31 of 2017  
APSPDCL & APEPDCL Vs M/s. GVK Industries Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 220 MW project at Jegurupadu, East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri T. Uma Sankar, learned counsel for M/s.GVK Industries Limited / R-1 are present.

At request of Sri T. Uma Sankar, learned counsel for M/s.GVK Industries Limited / R-1, the matter is posted to 17-11-2018.

Call on: 17-11-2018  
at 11:00 AM

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O.P.No.11 of 2018  
M/s. ITC Limited Vs APSPDCL & 3 others

Petition under Sections 86(1) (f) and 62 (6) of the Electricity Act, 2003 for recovery of various amounts towards delayed payment surcharge, interest, reimbursements and / or refunds from the APDISCOMs with respect to supply of wind power against order in Lr. No. CE / Comml / APPCC / SE / Comml / F-ITC / D.No. 377 / 14 dated 04-12-2014.

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Counter of 4<sup>th</sup> respondent is filed. For rejoinder of the petitioner, at request, the matter is posted to 17-11-2018.

Call on:

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at 11:00 AM

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O.P.No.12 of 2018  
M/s. ITC Limited Vs APSPDCL & 2 others

Petition under Section 86(1) (f) of the Electricity Act, 2003 for recovery of various amounts towards delayed payment surcharge from the APDISCOMs with respect to supply of wind power against order in Lr. No. CE / Comml / APPCC / SE / Comml / F-ITC / D.No. 399 / 16 dated 30-05-2016.

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Rejoinder filed. For hearing, the matter is posted to 01-12-2018.

Call on:

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O.P.No.57 of 2014 & I.A.No.8 of 2015  
Sardar Power Pvt Ltd Vs APEPDCL

Petition filed for determination of capital cost and consequent re-determination of tariff for the first 10 years of operation with effect from 17.07.2008 (being COD of the project) pursuant to the Judgment of Hon'ble ATE dt.20.12.2012 in Appeal No.172 of 2011 and batch

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Reply to the respondent's objections on the additional information of the petitioner is filed. Hence, the matter is posted to 24-11-2018.

Call on: 24-11-2018  
at 11:00 AM

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O.P.No.23 of 2018  
M/s. Ananthapur MSW Private Limited Vs APSPDCL & 3 others

Petition under Section 86 (1) (b) and other relevant provisions of the Electricity Act, 2003 seeking approval of tariff of Rs.7.50ps for the entire plant capacity in pursuance of the amendment dated 19-07-2018 to the Power Purchase Agreement dated 24-08-2016

Sri P. Govardhan Reddy representing the petitioner and Sri P. Shiva Rao, learned Standing Counsel for APSPDCL / R-1 are present.

Time extended for counter, at request, till 17-11-2018.

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at 11:00 AM

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O.P.No.24 of 2018

M/s. Envikare Green Energy Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (b) and other relevant provisions of the Electricity Act, 2003 seeking approval of tariff of Rs.7.50ps for the entire plant capacity in pursuance of the amendment dated 19-07-2018 to the Power Purchase Agreement dated 09-08-2016

Sri Suresh Challa, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for APSPDCL / R-1 are present.

Time extended for counter, at request, till 17-11-2018.

Call on: 17-11-2018  
at 11:00 AM

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O.P.No.16 of 2018 & Memo filed by the respondent  
APSPDCL Vs M/s. SEI Green Flash Private Limited

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for grant of approval and consent to the 3<sup>rd</sup> amendment to the PPA dated 05-12-2014 entered between the parties

Memo filed by the respondent herein (petitioner in O.P.No.7 of 2017) praying the Commission to provide clarification and confirm that tariff is payable at the revised rate as per Amended PPA from CoD in line with the terms of the PPA

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri Srinivas Mantha, learned counsel for the respondent are present.

Arguments of the learned counsel for both parties are heard in part. For continuation, at request, the matter is posted to 17-11-2018.

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at 11:00 AM

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O.P.No.17 of 2018 & Memo filed by the respondent  
APSPDCL Vs M/s. SEI Arushi Private Limited

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for grant of approval and consent to the 2<sup>nd</sup> amendment to the PPA dated 05-12-2014 entered between the parties.

Memo filed by the respondent herein (petitioner in O.P.No.8 of 2017) praying the Commission to provide clarification and confirm that tariff is payable at the revised rate as per Amended PPA from CoD in line with the terms of the PPA

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri Srinivas Mantha, learned counsel for the respondent are present.

Arguments of the learned counsel for both parties are heard in part. For continuation, at request, the matter is posted to 17-11-2018.

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O.P.No.18 of 2018 & Memo filed by the respondent  
APSPDCL Vs M/s. Rain Coke Limited

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for grant of approval and consent to the 3<sup>rd</sup> amendment to the PPA dated 08-12-2014 entered between the parties.

Memo filed by the respondent herein (petitioner in O.P.No.9 of 2017) praying the Commission to provide clarification and confirm that tariff is payable at the revised rate as per Amended PPA from CoD in line with the terms of the PPA

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri Srinivas Mantha, learned counsel for the respondent are present.

Arguments of the learned counsel for both parties are heard in part. For continuation, at request, the matter is posted to 17-11-2018.

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O.P.No.33 of 2017  
M/s. NSL Sugars Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Arguments of Sri K. Gopal Choudary, learned counsel for the petitioner are heard. For reply, at request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted to 24-11-2018.

Call on: 24-11-2018  
at 11:00 AM

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O.P.No.34 of 2017  
M/s. NSL Sugars (Tungabhadra) Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Arguments of Sri K. Gopal Choudary, learned counsel for the petitioner are heard. For reply, at request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted to 24-11-2018.

Call on: 24-11-2018  
at 11:00 AM

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CHAIRMAN

O.P.No.49 of 2017  
M/s. Southern Rocks & Minerals Pvt. Ltd Vs APSLDC & 2 others

Petition under Section 86(1) (f) of the Electricity Act, 2003 r/w Clause 15 of Regulation 2 of 2006 & APERC (Conduct of Business) Regulations, 1999 to declare the date of commissioning of its solar plant (1.03 MW) as 16-06-2016 and to extend the benefits and incentives provided under G.O.Ms.No.8 dated 12-02-2015 as adopted in Regulation No.1 of 2016 & Regulation No. 2 of 2016 by allowing banking facility and scheduling of energy enabling petitioner to utilize the same for its captive use

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request, the matter is posted to 01-12-2018.

Call on:

01-12-2018  
at 11:00 AM

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