

Record of proceedings dated 06-10-2018

Public hearing on Load Forecasts, Resource Plans and State Electricity Plan for 4th control period (FY2019-20 to FY2023-24) and 5th control period (FY2024-25 to FY2028-29).

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri Anand K Ganesan, learned counsel for M/s. KSK Mahanadi Power Company Limited, learned objector are present.

Objections are received from Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation and M/s. KSK Mahanadi Power Company Limited. Sri Anand K Ganesan, learned counsel entered appearance for M/s. KSK Mahanadi Power Company Limited. Sri P. Shiva Rao, learned Standing Counsel for the Distribution Companies sought for time for filing their response to the objections. Hence, the matter is posted to 27-10-2018.

Call on: 27-10-2018
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.10 of 2018
M/s. SNJ Sugars and Products Ltd Vs APTRANSCO & APSPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 for recovery of Rs.62,86,451/- along with interest of Rs.1,23,71,566/-, totalling to an amount Rs.1,86,58,017/- towards balance amount, payable for the energy supplied by the petitioner during the period from 21-01-2004 to 31-03-2004 as per tariff determined by the APERC vide order dated 27-08-2012 in R.P.No.10 of 2003 and in terms of the tariff agreed as per PPA dated 10-07-2002 and future interest

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

No rejoinder is filed. Hence the matter is posted for hearing to 27-10-2018.

Call on:

27-10-2018
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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 Anand K Ganesan, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for APSPDCL and Sri M. Kamalakar Babu, Vice Chairman & Managing Director, New & Renewable Energy Development Corporation of Andhra Pradesh Limited (NREDCAP) are present.

Sri P. Shiva Rao, learned Standing Counsel entered appearance for respondents 1 and 3. There is no representation for the 2nd respondent, Municipal Corporation, which is impleaded only as proforma party. Sri M. Kamalakar Babu, Vice Chairman & Managing Director, New & Renewable Energy Development Corporation of Andhra Pradesh Limited (NREDCAP), 4th respondent is present in person. For counters of respondents 1, 3 and 4, the matter is posted to 03-11-2018.

Call on:

03-11-2018
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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, Sri P. Shiva Rao, learned Standing Counsel for APSPDCL and Sri M. Kamalakar Babu, Vice Chairman & Managing Director, New & Renewable Energy Development Corporation of Andhra Pradesh Limited (NREDCAP) are present.

Sri P. Shiva Rao, learned Standing Counsel entered appearance for respondents 1 and 2. Sri M. Kamalakar Babu, Vice Chairman & Managing Director, New & Renewable Energy Development Corporation of Andhra Pradesh Limited (NREDCAP), 3rd respondent is present in person. For counters of respondents 1 to 3, the matter is posted to 03-11-2018.

Call on:

03-11-2018
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.19 of 2018
Smt. N. Ranamma Vs CMD / APTRANSCO, EE / APTRANSCO / Kadapa and
Collector & District Magistrate, Chittoor District

Petition filed under the Electricity Act, 2003, Rule 13 (1) & 13 (2) of the Andhra Pradesh Works of Licensee Rules, 2007, for violation of Rules 3 (2) and 3 (4) by
APTRANSCO

Sri Y. Surya Sekhar Reddy representing Sri P. Chengal Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent Nos.1 & 2 are present.

Sri Y. Surya Sekhar Reddy representing Sri P. Chengal Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents 1 and 2 are heard. For orders, the matter is posted to 27-10-2018.

Call on:

27-10-2018
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.20 of 2018
(FOR ORDERS)

M/s. KCT Renewable Energy Pvt. Ltd. Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Revolving Letter of Credit; payment of amounts deducted towards rebate from monthly power bills and for payment of interest on delayed payment in terms PPA

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Orders pronounced (*vide separate order*)

“12. Accordingly,---

(a) In so far as the refund of the amounts deducted towards rebate under Articles 5.2 and 5.4 of the respective Power Purchase Agreements, the petitioners shall be paid such amounts due towards any amounts deducted towards rebate without any entitlement for the same, along with 25% of the late payment surcharge within thirty days from today after recording waiver of the remaining 75% of the late payment surcharge;

- (b) In so far as opening of the Letters of Credit is concerned, the 1st respondent is granted six months time from now as per Article 5.4 of the respective Power Purchase Agreements and in case of any inability or failure or default in so opening Letters of Credit, the 1st respondent shall approach the Commission on merits in accordance with law for appropriate orders on refund of the amount.
- (c) The petitioners are respectively entitled to approach the Commission with appropriate Interlocutory Applications concerning any balance amounts still payable out of the subject matter of the petitions after giving credit to payments already made by the 1st respondent, if the parties could not reach an understanding regarding the same within thirty days from the date of this order.
- (d) The parties shall bear their own costs in all the petitions.
- (e) All the Original Petitions are ordered accordingly”.

Sd/-
MEMBER / PRM

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MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.21 of 2018
(FOR ORDERS)

M/s. Ostro Anantapur Private Limited Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Revolving Letter of Credit; payment of amounts deducted towards rebate from monthly power bills and for payment of interest on delayed payment in terms PPA

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Orders pronounced (*vide separate order*)

“12. Accordingly,---

- (a) In so far as the refund of the amounts deducted towards rebate under Articles 5.2 and 5.4 of the respective Power Purchase Agreements, the petitioners shall be paid such amounts due towards any amounts deducted towards rebate without any entitlement for the same, along with 25% of the late payment surcharge within thirty days from today after recording waiver of the remaining 75% of the late payment surcharge;
- (b) In so far as opening of the Letters of Credit is concerned, the 1st respondent is granted six months time from now as per Article 5.4 of the respective Power Purchase Agreements and in case of any inability or failure or default in so opening Letters of Credit, the 1st respondent shall approach the Commission on merits in accordance with law for appropriate orders on refund of the amount.
- (c) The petitioners are respectively entitled to approach the Commission with appropriate Interlocutory Applications concerning any balance amounts still payable out of the subject matter of the petitions after giving credit to payments already made by the 1st respondent, if the parties could not reach an understanding regarding the same within thirty days from the date of this order.
- (d) The parties shall bear their own costs in all the petitions.
- (e) All the Original Petitions are ordered accordingly”.

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.22 of 2018
(FOR ORDERS)

M/s. KCT Renewable Energy Pvt. Ltd. Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Revolving Letter of Credit; payment of amounts deducted towards rebate from monthly power bills and for payment of interest on delayed payment in terms PPA

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Orders pronounced (*vide separate order*)

“12. Accordingly,---

- (a) In so far as the refund of the amounts deducted towards rebate under Articles 5.2 and 5.4 of the respective Power Purchase Agreements, the petitioners shall be paid such amounts due towards any amounts deducted towards rebate without any entitlement for the same, along with 25% of the late payment surcharge within thirty days from today after recording waiver of the remaining 75% of the late payment surcharge;
- (b) In so far as opening of the Letters of Credit is concerned, the 1st respondent is granted six months time from now as per Article 5.4 of the respective Power Purchase Agreements and in case of any inability or failure or default in so opening Letters of Credit, the 1st respondent shall approach the Commission on merits in accordance with law for appropriate orders on refund of the amount.

(c) The petitioners are respectively entitled to approach the Commission with appropriate Interlocutory Applications concerning any balance amounts still payable out of the subject matter of the petitions after giving credit to payments already made by the 1st respondent, if the parties could not reach an understanding regarding the same within thirty days from the date of this order.

(d) The parties shall bear their own costs in all the petitions.

(e) All the Original Petitions are ordered accordingly”.

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN