

Record of proceedings dated 05-05-2018

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

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, 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 M. Abhinay, learned counsel representing Sri P. Vikram, learned counsel for the petitioner sought for time for getting instructions from the petitioner on any flexibility in the tariff being requested to be granted. Hence, the matter is posted to 02-06-2018.

Call on:

02-06-2018
at 11:00 AM

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

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.

Rejoinder filed. For hearing, the matter is posted to 02-06-2018.

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at 11:00 AM

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I.A.No.5 of 2017 in O.P.No.28 of 2016

APSPDCL Vs ---

In the matter of approval for additional surcharge from Open Access consumers during FY 2017-18 under Section 42 (4) of the Electricity Act, 2003

Sri P. Shiva Rao, learned counsel for the petitioners, Sri K. Gopal Choudary, learned counsel for (i) ITC Limited (ii) Sri Small Hydro Power Developers Association, Sri Alladi Ravinder, learned counsel for M/s. Sree Rayalaseema Alkalies and Allied Chemicals Limited, Sri Aditya Eranki, Regional Manager, Indian Energy Exchange (IEX) and Smt. M. Indrani, learned counsel representing Sri Challa Gunaranjan, learned counsel for (i) M/s. Parasakti Cement Industries Limited (ii) M/s. KCP Cement & Sugar Industries Limited & (iii) M/s. Greenco, learned objectors are present.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners requested for time for furnishing the data of actuals for 2017-18 for reference of the Commission, with service of copies on all the objectors. Hence, the matter is posted to 19-05-2018.

Call on:

19-05-2018
at 11:00 AM

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I.A.No.6 of 2017 in O.P.No.29 of 2016

APEPDCL Vs ---

In the matter of approval for additional surcharge from Open Access consumers during FY 2017-18 under Section 42 (4) of the Electricity Act, 2003

Sri P. Shiva Rao, learned counsel for the petitioners, Sri K. Gopal Choudary, learned counsel for (i) ITC Limited (ii) Sri Small Hydro Power Developers Association, Sri Alladi Ravinder, learned counsel for M/s. Sree Rayalaseema Alkalies and Allied Chemicals Limited, Sri Aditya Eranki, Regional Manager, Indian Energy Exchange (IEX) and Smt. M. Indrani, learned counsel representing Sri Challa Gunaranjan, learned counsel for (i) M/s. Parasakti Cement Industries Limited (ii) M/s. KCP Cement & Sugar Industries Limited & (iii) M/s. Greenco, learned objectors are present.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners requested for time for furnishing the data of actuals for 2017-18 for reference of the Commission, with service of copies on all the objectors. Hence, the matter is posted to 19-05-2018.

Call on:

19-05-2018
at 11:00 AM

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O.P. No.5 of 2017

APSPDCL & APEPDCL Vs ---

Petition filed under Regulation 55 (1) & (2) of APERC (Conduct of Business) Regulations, 1999 and Regulation 23 to 26 of the APERC (Terms and Conditions for tariff determination for wind power projects in the State of AP for the period of FY 2015-16 to FY 2019-20) Regulations, 2015 requesting the Commission to curtail or limit the control period of the above mentioned Regulation No.1 of 2015 upto 31-03-2017

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri V. Sailendra representing Indian Wind Power Association (AP State Council) and Smt. W.V.S. Rajeswari, AGM (Legal) for M/s. Axis Energy Ventures India Private Limited, learned objectors are present.

Orders are not ready. For orders, the matter is posted to 26-05-2018.

Call on: 26-05-2018
at 11:00 AM

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Public hearing on Load Forecasts, Resource Plans, Investment Plans and State
Electricity Plan

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri K. Gopal Choudary, learned *Amicus Curiae* are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities for finalizing the plans and proposals, the matter is posted to 26-05-2018.

Call on: 26-05-2018
at 11:00 AM

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I.A. No. 14 of 2018 in O.P.Nos.60 & 61 of 2017
APSPDCL & APEPDCL Vs ----

Petition filed u/s 62 (1), 86 (1) (b) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations seeking permission to procure power from Godavari Gas Power Plant (formerly owned by M/s. GVK till expiry of PPA, now owned by APDISCOMs) and approval of interim tariff for the first quarter of FY 19

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

At request of Sri P. Shiva Rao, learned Standing Counsel for the petitioners for replies to the objections, the matter is posted to 19-05-2018.

Call on:

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at 11:00 AM

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I.A.No.15 of 2018 in O.P.Nos.60 & 61 of 2017

APSPDCL & APEPDCL Vs M/s. Spectrum Power Generation Ltd

Petition filed u/s 62 (1), 86 (1) (b) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations seeking permission to procure power from Spectrum Power Generation Ltd and approval of interim tariff for the first quarter of FY 19

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri T. Uma Sankar, learned counsel representing Sri Ch. Pushyam Kiran, learned counsel for the respondent are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the petitioners, for replies to the objections, the matter is posted to 19-05-2018.

Call on:

19-05-2018
at 11:00 AM

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I.A.No.16 of 2018 & I.A. No. 18 of 2018 in O.P.No. 8 of 2018

APSPDCL & APEPDCL Vs M/s. Lanco Kondapalli Power Ltd

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

I.A. No. 16 of 2018 filed u/s 62 (1), 86 (1) (b) of the Electricity Act, 2003 r/w Clause
55 of APERC (Conduct of Business) Regulations seeking permission to procure
power from M/s. Lanco Kondapalli Power Ltd and approval of interim tariff for the first
quarter of FY 19

I.A. No. 18 of 2018 – GMR Vemagiri Power Generation Ltd filed Intervention cum
objection petition in O.P. No. 8 of 2018

Sri P. Shiva Rao, learned Standing Counsel for the petitioners; Sri K. Gopal
Choudary, learned counsel representing Sri Challa Gunaranjan, learned counsel for
M/s. Lanco Kondapalli Power Limited and Ms. Pujitha Gorantla & Sri Prithvi Reddy,
learned counsel for GMR Vemagiri Power Generation Limited, Intervention Petitioner
are present.

At request of Sri P. Shiva Rao and Sri K. Gopal Choudary, learned counsel for the
petitioners and the respondent respectively for counter in I.A.No.18 of 2018 and
replies to the objections, the matter is posted to 26-05-2018.

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at 11:00 AM

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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

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

At request of Smt. M. Indrani, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner, the matter is posted finally for rejoinder to 26-05-2018.

Call on: 26-05-2018
at 11:00 AM

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O.P. No. 5 of 2018
Smt. Karrothu Laxmi & 25 others Vs APTRANSCO & 5 others

Petition filed under Rule 3 (5) of the Andhra Pradesh Works of Licensee Rules, 2007 questioning denial of compensation to the petitioners on the ground that the towers have been erected prior to the issuance of the order by the 6th respondent to pay compensation to the petitioners towards land diminution value due to erection of towers in their lands

Sri G.V.S. Mehar Kumar, learned counsel representing Sri A. Jagannadha Rao, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for respondents 1 to 5 are present.

The learned counsel for the petitioner filed a Memo providing proof of service of notice on the 6th respondent and the 6th respondent is absent. Nobody entered appearance for the 6th respondent. At request of Sri P. Shiva Rao, learned Standing Counsel for respondents 1 to 5, the matter is posted finally for counter to 26-05-2018.

Call on: 26-05-2018
at 11:00 AM

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O.P. No. 51 of 2017
Sri Ch. Chandra Mouli and Sri Ch. Venugopal Rao Vs CMD/APTRANSCO & 5
others

Petition filed under sub-rules (1) (2) of Rule 13 of the Andhra Pradesh Works of
Licensee Rules, 2007 and Section 19 of the Electricity Act, 2003

Sri P. Chagal Reddy, learned counsel for the petitioners and Sri P. Shiva Rao,
learned Standing Counsel for the utilities are present.

At request, the matter is posted to 08-06-2018 at 3:00 PM.

Call on: 08-06-2018
at 3:00 PM

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O.P. No. 9 of 2018
M/s. Manihamsa Power Projects Limited & M/s. Knowledge Infrastructure Systems
Private Limited Vs. APPCC, APEPDCL & APSPDCL

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC
(Conduct of Business) Regulations, 1999 (Regulation 2 of 1999) claiming for
payment of balance amount in terms of the Purchase Order dt.04-06-2012 for the
period 01-07-2012 to 30-05-2013 which is illegally withheld by respondents
purported to be on account of disproportionate allocation of water among Stage I & II
units of the 1st petitioner

Smt. M. Indrani, learned counsel representing Sri Challa Gunaranjan, learned
counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the
utilities are present.

Sri P. Shiva Rao, learned Standing Counsel entered appearance for respondents
and requested time for counter. Hence, the matter is posted for counter to
02-06-2018.

Call on: 19-05-2018
at 11:00 AM

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O.P.No.21 of 2017

M/s. Orange Uravakonda Wind Power 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 Letter of Credit and payment of amounts deducted towards 2% rebate from monthly power bills; for payment of interest on delayed payment in terms PPAs

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

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19-05-2018
at 11:00 AM

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O.P. No. 22 of 2017

M/s. Khandke Wind 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 pay amounts wrongfully deducted towards rebate from monthly power bills; for payment of interest on delayed payment in terms PPAs., and to open Irrevocable Letter of Credit

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

Call on:

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at 11:00 AM

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O.P. No. 23 of 2017

M/s. Orange Anantapur Wind Power 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 Letter of Credit; for payment of amounts deducted towards 2% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

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O.P. No. 24 of 2017
M/s. Tadas Wind 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 pay amounts wrongfully deducted towards rebate from monthly power bills; for payment of interest on delayed payment in terms PPAs., and to open Irrevocable Letter of Credit

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

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O.P. No. 25 of 2017

M/s. Mytrah Vayu (Pennar) 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 Letter of Credit; payment of amounts deducted towards 1% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

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at 11:00 AM

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O.P. No. 26 of 2017

M/s. Mytrah Vayu (Krishna) 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 Letter of Credit; payment of amounts deducted towards 1% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

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O.P. No. 27 of 2017

M/s. Mytrah Vayu (Indravati) 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 Letter of Credit; payment of amounts deducted towards 2% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

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at 11:00 AM

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O.P. No. 35 of 2017

M/s. Jindal Aluminium 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 Letter of Credit; payment of amounts deducted towards 1% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

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O.P. No.1 of 2018
M/s. Tata Power Renewable Energy 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 Letter of Credit; payment of amounts deducted towards rebate from monthly power bills and for payment of interest on delayed payment in terms PPA dated 31-10-2016

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

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O.P. No.7 of 2018

M/s. Welspun Renewables Energy Pvt. Ltd Vs APSPDCL & 2 others

Petition filed 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 Letter of Credit; payment of amounts deducted towards 1% rebate from monthly power bills and for payment of interest on delayed payment in terms PPA

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

Counter filed. Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Memo along with a letter from the State Bank of India stating that there is no room to open Letters of Credit to the extent required with them. Sri P. Shiva Rao and Smt. M. Indrani, learned counsel for the parties, wanted further time for verification of the payments made. Hence, the matter is posted to 19-05-2018.

Call on:

19-05-2018
at 11:00 AM

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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.

Sri P. Shiva Rao, learned Standing Counsel for the respondent submitted the views of the respondent on the information / documents submitted by the petitioner and claimed that documentary evidence was provided only for a capital expenditure of Rs.3,08,40,600/- as against the total capital expenditure of Rs.9,40,49,092/- claimed in the petition. A perusal of the various items showed that item 4 relating to purchase orders placed for supply of equipment, plant and machinery might have been in the ordinary and natural course of events, a significant item of expenditure and Sri K. Gopal Choudary, learned counsel for the petitioner is hence requested to cause verification of any major items of expenditure forming part of the capital expenditure not being supported by the documents filed by the petitioner before the Commission already and file them before the Commission to the extent available with service of copies in advance on the learned Standing Counsel for the respondent before the next date of hearing. Hence, the matter is posted to 02-06-2018.

Call on:

02-06-2018
at 11:00 AM

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CHAIRMAN

O.P.No.17 of 2015

M/s. IL & FS Wind Farms Ltd Vs APSPDCL & 3 others

Petition under Sections 142, 143 / 146 & 129 of the Electricity Act, 2003 for
punishment for non-compliance of directions of the Commission and for
implementation of its orders

Sri D. Siva Darshan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Further arguments of Sri P. Shiva Rao, learned Standing Counsel for the utilities and reply arguments of Sri D. Siva Darshan, learned counsel for the petitioner are heard.

For orders, the matter is posted to 19-05-2018.

Call on:

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at 11:00 AM

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CHAIRMAN

I.A. No. 5 of 2018 in O.P. No. 2 of 2013

M/s. Bharat Alloys & Energy Limited Vs APSPDCL

Petition under Section 62 r/w 86 of the Electricity Act, 2003 for revisiting of the conditions stipulated in the Retail Supply Tariff Order for the FY 2013-14 for the Category of HT-1 (b) consumers

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

Counter filed. For rejoinder, the matter is posted to 19-05-2018.

Call on:

19-05-2018
at 11:00 AM

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