

Record of proceedings dated 02-06-2018

In the matter of allocating inflated demand by the Andhra Pradesh Gas Power Corporation Ltd (APGPCL) to its shareholders.

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri C.V. Mohan Reddy, Senior Counsel & Sri V.R.N. Prashanth, learned counsel for APGPCL, Sri Challa Gunaranjan, learned counsel for (i) Super Spinning Mills Limited (ii) Sri Satyanarayana Spinning Mills Limited (iii) Sree Akkamamba Textiles Limited & (iv) India Cements Limited and Sri M. Venugopala Rao, learned objectors are present.

At request, the matter is posted to 30-06-2018.

Call on: 30-06-2018
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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 P. Vikram, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for the respondent and Sri M. Venugopala Rao, learned objector are present.

At request of the learned counsel for both parties for coming back to the Commission with their view on the flexibility in the tariff requested to be fixed, the matter is posted to 07-07-2018.

Call on: 07-07-2018
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

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 P. Shiva Rao, learned Standing Counsel for the respondents and Sri M. Venugopala Rao, learned objector are present.

At request, the matter is posted to 30-06-2018.

Call on: 30-06-2018
at 11:00 AM

Sd/-
MEMBER / PRM

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MEMBER / PR

Sd/-
CHAIRMAN

O.P.No. 46 of 2017
APSPDCL & APEPDCL Vs APGENCO & A.P. Solar Power Corporation Ltd

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 M. Venugopala Rao, learned objector are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for APGenco to consider any reduction in the proposed tariff, the matter is posted to 23-06-2018.

Call on: 23-06-2018
at 11:00 AM

Sd/-
MEMBER / PRM

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Sd/-
CHAIRMAN

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 Standing Counsel for the petitioner and Sri Challa Gunaranjan, learned counsel for (i) The India Cements Limited (ii) Ravali Spinners Private Limited (iii) M/s. Parasakthi Cement Industries Limited (iv) M/s. KCP Cement & Sugar Industries Limited (v) M/s. GREENCO (vi) Reddy Laboratories & (vii) Mylan Laboratories are present.

Sri P. Shiva Rao, learned Standing Counsel for the petitioner filed a working sheet of fresh calculations suggesting a tentative additional surcharge arrived at based on the data of actuals of stranded power for FY 2017-18. The petitioner is directed to serve copies of the calculations and covering letter on all the objectors and the objectors may file their responses by the next hearing date. Hence, the matter is posted to 23-06-2018.

Call on:

23-06-2018
at 11:00 AM

Sd/-
MEMBER / PRM

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MEMBER / PR

Sd/-
CHAIRMAN

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 Standing Counsel for the petitioners and Sri Challa Gunaranjan, learned counsel for (i) The India Cements Limited (ii) Ravali Spinners Private Limited (iii) M/s. Parasakthi Cement Industries Limited (iv) M/s. KCP Cement

& Sugar Industries Limited (v) M/s. GREENCO (vi) Reddy Laboratories & (vii) Mylan Laboratories are present.

Sri P. Shiva Rao, learned Standing Counsel for the petitioner filed a working sheet of fresh calculations suggesting a tentative additional surcharge arrived at based on the data of actuals of stranded power for FY 2017-18. The petitioner is directed to serve copies of the calculations and covering letter on all the objectors and the objectors may file their responses by the next hearing date. Hence, the matter is posted to 23-06-2018.

Call on: 23-06-2018
at 11:00 AM

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CHAIRMAN

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 and Sri M. Venugopala Rao, learned objector are present. No other objectors are present.

Heard P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M. Venugopala Rao, learned objector. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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MEMBER / PR

Sd/-
CHAIRMAN

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, Sri M. Naga Deepak, learned counsel representing Sri Ch. Pushyam Kiran, learned counsel for M/s. Spectrum Power Generation Limited, Sri M. Venugopala Rao, Dr. S. Chandra Mouli, President, APSEB Engineers' Association and Sri S. Prathap, Technical Secretary representing APSEB Assistant Engineers' Association, learned objectors are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri M. Venugopala Rao, Dr. S. Chandra Mouli, President, APSEB Engineers' Association and Sri S. Prathap, Technical Secretary representing APSEB Assistant Engineers' Association, learned objectors. For continuation of hearing, the matter is posted to 30-06-2018.

Call on:

30-06-2018
at 11:00 AM

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CHAIRMAN

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 M. Venugopala Rao, learned objector are present.

Copies of information are stated to have been furnished to the learned *Amicus Curiae* and all the objectors. For responses, if any and for hearing, the matter is posted to 30-06-2018.

Call on:

30-06-2018
at 11:00 AM

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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

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

At request of Sri P. Shiva Rao, learned Standing Counsel for the respondents, time extended for filing counter till 23-06-2018.

Call on:

23-06-2018
at 11:00 AM

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CHAIRMAN

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

At request on behalf of Sri K. Gopal Choudary, learned counsel for the petitioner to furnish information, the matter is posted to 23-06-2018.

Call on:

23-06-2018
at 11:00 AM

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CHAIRMAN

I.A.No. 21 of 2017 in O.P. No. 3 of 2011

M/s. Metkore Alloys & Industries Ltd Vs APEPDCL

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 2011-12 for the Category of HT-1 (b) consumers

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

Orders pronounced (vide separate order)

“8. Accordingly, the Interlocutory Application is allowed. No costs”.

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CHAIRMAN

O.P. No. 33 of 2017 & I.A. No. 6 of 2018
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

Application under Section 86 (1) (f) of the Electricity Act, 2003 r/w Regulation 55 of the APERC (Conduct of Business) Regulation 1999 seeking leave to raise additional ground

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities in I.A.No.6 of 2018. The Interlocutory Application is with a request to grant leave to the applicant to raise an additional ground under Section 56 of the Indian Contract Act, 1872 on the ground of impossibility of performance of the contract. In the counter in the I.A., the entitlement of the applicant to the said additional ground is questioned but the right of the applicant to raise an additional ground is not seriously in dispute. To enable a comprehensive determination of the questions in issue between the parties in the main petition, it will be in the interests of justice to permit the applicant to raise the additional plea, which can be met by the respondents by filing an appropriate additional counter. Hence, I.A.No.6 of 2018 is allowed. The applicant is permitted to raise an additional ground in support of its claims under Section 56 of the Indian Contract Act, 1872 relating to the impossibility of performance of the contract. The respondents may file their additional counter in reply to the additional ground now permitted to be raised, by the next date of hearing. Hence, the matter is posted to 23-06-2018.

Call on:

23-06-2018
at 11:00 AM

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CHAIRMAN

O.P. No. 34 of 2017 & I.A.No. 7 of 2018
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

Application under Section 86 (1) (f) of the Electricity Act, 2003 r/w Regulation 55 of the
APERC (Conduct of Business) Regulation 1999 seeking leave to raise additional ground

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva
Rao, learned Standing Counsel for the utilities in I.A.No.7 of 2018. The Interlocutory
Application is with a request to grant leave to the applicant to raise an additional
ground under Section 56 of the Indian Contract Act, 1872 on the ground of
impossibility of performance of the contract. In the counter in the I.A., the entitlement
of the applicant to the said additional ground is questioned but the right of the
applicant to raise an additional ground is not seriously in dispute. To enable a
comprehensive determination of the questions in issue between the parties in the
main petition, it will be in the interests of justice to permit the applicant to raise the
additional plea, which can be met by the respondents by filing an appropriate
additional counter. Hence, I.A.No.7 of 2018 is allowed. The applicant is permitted to
raise an additional ground in support of its claims under Section 56 of the Indian
Contract Act, 1872 relating to the impossibility of performance of the contract. The
respondents may file their additional counter in reply to the additional ground now
permitted to be raised, by the next date of hearing. Hence, the matter is posted to
23-06-2018.

Call on:

23-06-2018
at 11:00 AM

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CHAIRMAN

O.P. No. 7 of 2017
M/s. SEI Green Flash Pvt. Ltd. Vs APSPDCL & APPCC

Petition filed under Section 86 (1) (e) & (f) of the Electricity Act, 2003 r/w Regulations 55, 57 & 59 of APERC (Conduct of Business) Regulations, 1999 requesting the Commission to set aside the Letter No.CGM / P, MM & IPC / F.SEI Green / D.No.558 /16 dt.20-09-2016 and for other reliefs

Sri A. Satya Prasad, learned Senior Counsel representing Sri Srinivas Mantha, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri A. Satya Prasad, learned Senior Counsel for the petitioner. The petitioner has no objection for receiving the report of the committee constituted by the State Government dated 03-05-2018. Hence, the Interlocutory Application filed for the purpose is allowed and the report is received on record. Hence, for hearing the main petition, at request, the matter is posted to 14-06-2018 at 3:00 PM.

Call on:

14-06-2018
at 3:00 PM

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CHAIRMAN

O.P. No. 8 of 2017
M/s. SEI Arushi Pvt. Ltd Vs APSPDCL & APPCC

Petition filed under Section 86 (1) (e) & (f) of the Electricity Act, 2003 r/w Regulations 55, 57 & 59 of APERC (Conduct of Business) Regulations, 1999 requesting the Commission to set aside the Letter No.CGM / P, MM & IPC / F.SEI Arushi / D.No.559 /16 dt.20-09-2016 and for other reliefs

Sri A. Satya Prasad, learned Senior Counsel representing Sri Srinivas Mantha, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri A. Satya Prasad, learned Senior Counsel for the petitioner. The petitioner has no objection for receiving the report of the committee constituted by the State Government dated 03-05-2018. Hence, the Interlocutory Application filed for the purpose is allowed and the report is received on record. Hence, for hearing the main petition, at request, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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CHAIRMAN

O.P. No. 9 of 2017
M/s. Rain Coke Ltd Vs APSPDCL & APPCC

Petition filed under Section 86 (1) (e) & (f) of the Electricity Act, 2003 r/w Regulations 55, 57 & 59 of APERC (Conduct of Business) Regulations, 1999 requesting the Commission to set aside the Letter No.CGM / P, MM & IPC / F. Rain Coke / D.No.557 /16 dt.20-09-2016 and for other reliefs

Sri A. Satya Prasad, learned Senior Counsel representing Sri Srinivas Mantha, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri A. Satya Prasad, learned Senior Counsel for the petitioner. The petitioner has no objection for receiving the report of the committee constituted by the State Government dated 03-05-2018. Hence, the Interlocutory Application filed for the purpose is allowed and the report is received on record. Hence, for hearing the main petition, at request, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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O.P. No. 16 of 2017
M/s. WAANEED Solar Pvt Ltd Vs APSPDCL & APPCC
Petition filed under Section 86 (1) (e) & (f) of the Electricity Act, 2003 r/w Regulations
55, 57 & 59 of APERC (Conduct of Business) Regulations, 1999 requesting the
Commission to set aside the Letter No.CGM / P, MM & IPC / F.WAANEED /
D.No.556 /16 dt.20-09-2016 and for other reliefs

Sri A. Satya Prasad, learned Senior Counsel representing Sri Srinivas Mantha,
learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel
for the utilities are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri A. Satya
Prasad, learned Senior Counsel for the petitioner. The petitioner has no objection
for receiving the report of the committee constituted by the State Government dated
03-05-2018. Hence, the Interlocutory Application filed for the purpose is allowed and
the report is received on record. Hence, for hearing the main petition, at request, the
matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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CHAIRMAN

O.P. No. 37 of 2017 & I.A.No. 13 of 2017
M/s. Tata Power Renewable Energy Ltd., Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of
Business) Regulations, 1999 challenging deduction of the Generation Based
Incentive (GBI) amount from the payments due to the petitioner on account of energy
supplied under the PPA and to refund the same with interest

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 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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O.P. No. 38 of 2017 & I.A.No. 14 of 2017

M/s. JED Solar Parks Pvt Ltd. Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

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 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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CHAIRMAN

O.P. No. 39 of 2017 & I.A.No. 15 of 2017

M/s. POLY Solar Parks Pvt Ltd. Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

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 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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CHAIRMAN

O.P. No.66 of 2017
M/s. Jindal Aluminium Ltd Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

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 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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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

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

Orders pronounced (*vide separate order*)

“8. Accordingly, the Interlocutory Application is allowed. No costs”.

Sd/-
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CHAIRMAN

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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

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at 3:00 PM

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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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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CHAIRMAN

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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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CHAIRMAN

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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

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CHAIRMAN

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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

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CHAIRMAN

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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

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MEMBER / PRM

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MEMBER / PR

Sd/-
CHAIRMAN

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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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

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

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. For orders, the matter is posted to 14-06-2018 at 3:00 PM.

Call on: 14-06-2018
at 3:00 PM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
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 K. Jashwanth Rao, learned counsel representing Sri Avinash Desai, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Orders pronounced (*vide separate order*)

“24. Therefore, the 1st respondent is directed to pay the principal sum of Rs.2,13,36,156/- (Rupees two crores thirteen lakhs thirty six thousand one hundred and fifty six only) being short payment for the energy supplied by the petitioner during the period between July, 2011 and November, 2012 within six months from the date of this order. In the event of default by the 1st respondent, the said principal sum or the outstanding sum due by that date, as the case may be, shall be paid with simple interest at 10% (ten percent) per annum from then till payment. The petitioner is not entitled to any reliefs against respondents 2 to 4 and the parties are directed to bear their own costs in this petition.

25. The petition is ordered accordingly”.

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN