

Record of proceedings dated 23-06-2018

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

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners is present.

At request, the matter is posted to 07-07-2018.

Call on:

07-07-2018
at 11:00 AM

Sd/-
CHAIRMAN

Procurement of 400 MW Power from M/s. Simhapuri Energy Limited for a period of 12 years against 1000 MW Bids using imported coal from captive mines as fuel under long term by APSPDCL under DBFOO bidding - Approval for tariff adoption under Section 63 of the Electricity Act 2003.

Sri K. Gopal Chowdary, learned counsel for M/s. Simhapuri Energy Limited, Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for APSPDCL and Sri R. Shiv Kumar representing A.P. Spinning Mills Association, learned objector are present.

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for APSPDCL, is still awaiting instructions; posted the matter finally to 07-07-2018.

Call on:

07-07-2018
at 11:00 AM

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M.V. Suresh from AP Genco are present.

At request, the matter is posted to 07-07-2018.

Call on:

07-07-2018
at 11:00 AM

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri K. Gopal Choudary, learned counsel for (i) ITC Limited & (ii) Small Hydro Power Developers Association, Sri M. Sridhar and Sri N. Phani, 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 (iv) Reddy Laboratories & (v) Mylan Laboratories and Sri R. Shiv Kumar, learned objectors are present.

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

Call on:

30-06-2018
at 11:00 AM

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri K. Gopal Choudary, learned counsel for (i) ITC Limited & (ii) Small Hydro Power Developers Association, Sri M. Sridhar and Sri N. Phani, 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 (iv) Reddy Laboratories & (v) Mylan Laboratories and Sri R. Shiv Kumar, learned objectors are present.

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

Call on:

30-06-2018
at 11:00 AM

Sd/-
CHAIRMAN

O.P. No. 5 of 2017
FOR ORDERS
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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri V. Sailendra representing Indian Wind Power Association (AP State Council) and Sri N. Phani & Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for Greenco Rayala Wind Power Private Limited, learned objectors are present.

There is no quorum. Hence, the matter is posted for orders to 07-07-2018.

Call on:

07-07-2018
at 11:00 AM

Sd/-
CHAIRMAN

O.P. No. 30 of 2017
APSPDCL & APEPDCL Vs M/s. GMR Vemagiri Power Generation 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 370 MW project at Vemagiri (V), Kadiam (M), East Godavari District at HT-1 scheduled tariff

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri K. Siddarth, learned counsel for GMR Vemagiri Power Generation Limited are present.

The matter is stayed by the Hon'ble High Court in I.A.No.1 of 2018 in W.P.No.14276 of 2018 by order dated 26-04-2018. Hence, call along with other stayed matters on 30-06-2018.

Call on:

30-06-2018
at 11:00 AM

Sd/-
CHAIRMAN

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri Ch. Pushyam Kiran, learned counsel for GVK Industries Limited are present.

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri Ch. Pushyam Kiran, learned counsel for the 1st respondent stated that the question of jurisdiction was raised in Paras 5 and 6 of the counter. But, the petitioners stated that the claim involved herein relates to the demand for payment of tariff for imported energy with interest and costs for the period from October, 2016, which is a post-bifurcation claim by the Discoms of Andhra Pradesh which has nothing to do with the A.P. Reorganization Act, 2014. Therefore, the learned counsel desired that the matter be heard on merits on the other questions in controversy between the parties arising out of the pleadings. Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners represented that there is no rejoinder. Hence, the matter is posted for hearing to 21-07-2018.

Call on:

21-07-2018
at 11:00 AM

Sd/-
CHAIRMAN

O.P. No. 6 of 2017
APSPDCL & APEPDCL Vs M/s. Reliance Infrastructure Ltd., TSSPDCL & TSNPDCL
(R-2 & R-3 are Proforma Parties)

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the Respondent No.1 (M/s. Reliance Infrastructure Ltd) to pay for the energy consumed by the latter towards auxiliary consumption for its 220 MW power project at Samalkot at HT-1 scheduled tariff

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M. Abhinay, learned counsel representing Sri P. Vikram, learned counsel for Reliance Infrastructure Limited are present.

At request of Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners, posted finally for filing reply to the additional affidavit to 21-07-2018.

Call on: 21-07-2018
at 11:00 AM

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 N. Phani & Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel

representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri P. Shiva Rao, learned Standing Counsel entered appearance for both the respondents and at request on his behalf by Sri G.V. Brahmananda Rao, learned counsel, granted time for filing counter till 21-07-2018.

Call on:

21-07-2018
at 11:00 AM

Sd/-
CHAIRMAN

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 N. Phani & Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Time extended for counter at request of Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents finally till 21-07-2018.

Call on:

21-07-2018
at 11:00 AM

Sd/-
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 K. Gopal Chowdary, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

The petitioner filed a Memo along with additional information. Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents sought for time for furnishing response of the respondents on the additional information. Hence, the matter is posted for such response of the respondents to the additional information to 07-07-2018.

Call on:

07-07-2018
at 11:00 AM

Sd/-
CHAIRMAN

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 N. Phani & Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Additional counter affidavit filed by the respondents. For hearing, the matter is posted to 21-07-2018.

Call on:

21-07-2018
at 11:00 AM

Sd/-
CHAIRMAN

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 N. Phani & Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Additional counter affidavit filed by the respondents. For hearing, the matter is posted to 21-07-2018.

Call on:

21-07-2018
at 11:00 AM

Sd/-
CHAIRMAN

O.P. No. 51 of 2017

FOR ORDERS

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. Chengal Reddy, learned counsel for the petitioners and Sri G.V. Brahmananda
Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for
the utilities are present.

There is no quorum. Hence, the matter is posted for orders to 30-06-2018.

Call on:

30-06-2018
at 11:00 AM

Sd/-
CHAIRMAN