

Record of proceedings dated 26-11-2016

O.P. No. 31 of 2015
M/s. Jocil Ltd Vs APSPDCL

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 for the payment of the differential variable cost of surplus power supplied

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

Arguments of Sri K. Gopal Choudary and Sri P. Shiva Rao learned counsel for the parties are heard. The learned counsel for the petitioner is requested to file copies of the various orders of the State Commission, Hon'ble Appellate Tribunal for Electricity and the Hon'ble Supreme Court referred to in the petition, counter affidavit and the rejoinder by the next hearing date.

Call on: 17-12-2016
at 11:00 AM

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MEMBER / PRM

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CHAIRMAN

O.P. No. 12 of 2016
APEPDCL & APSPDCL Vs GVK Gautami Power Ltd., TSSPDCL & TSNPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 claiming certain amounts from Respondent No. 1

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri T. Umasankar, learned counsel representing Sri Ch. Pushyam Kiran, learned counsel for GVK Gautami Power Limited are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the petitioners, matter is posted for hearing to 31-12-2016.

Call on: 31-12-2016
at 11:00 AM

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CHAIRMAN

O.P. No. 44 of 2014
International Paper APPM Ltd
(The Andhra Pradesh Paper Mills Ltd) Vs APSLDC

Petition seeking accreditation of the petitioner's renewable energy project

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

Sri Vedula Srinivas, learned counsel for the petitioner is heard. For arguments by Sri P. Shiva Rao, learned Standing Counsel for the respondent, matter is posted at request to 17-12-2016.

Call on: 17-12-2016
at 11:00 AM

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CHAIRMAN

O.P. No. 23 of 2016
APEPDCL Vs M/s. Richmond Power Pvt. Ltd.

Petition filed by APEPDCL on the representation of M/s. Richmond Power Pvt Ltd., 6 MW Industrial Bio waste based power plant set up at Vizianagaram District for sale of power to APEPDCL

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

Sri P. Vikram, learned counsel entered appearance for the respondent. For counter, time extended at request to 17-12-2016.

Call on: 17-12-2016
at 11:00 AM

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CHAIRMAN

O.P. No. 24 of 2016
Aquawave Biotech Pvt Ltd Vs APSPDCL & 2 others

Petitioner challenging the Memo No.CGM/Opn/APSPDCL/TPT/RAC/F: /D. No. 282/2016 Dated 27-07-2016 issued by the Chief General Manager (Operations), APSPDCL / Respondent No.2

Sri Venkata Rangadas.K and Sri K. Vijay Kumar, Advocates for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri P. Shiva Rao, learned Standing Counsel for the respondents entered appearance and sought time for filing counter. Hence, matter is posted for counter to 17-12-2016.

Call on: 17-12-2016
at 11:00 AM

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CHAIRMAN

O.P. No. 20 of 2015
Empee Power Co (l) Ltd Vs APSPDCL

Petition u/s 62 r/w 86 (1) of the Electricity Act, 2003 for revision of tariff specified under Article 2.2 of the Power Purchase Agreement dated 23.05.2007

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

Sri T. Vizhay Baabu, learned counsel submitted that the petitioner filed an Interlocutory Application to receive additional pleadings. Office of the Commission to check and put up. Sri P. Shiva Rao, learned Standing Counsel for the respondent is requested to have his counter filed in the Interlocutory Application by the next hearing date. Hence, the matter is posted to 17-12-2016.

Call on: 17-12-2016
at 11:00 AM

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

Sri Nikhil Khadkikar, learned counsel for the petitioner submitted that the report of the expert committee appointed to effect the division of assets and liabilities of the distribution companies has to be awaited and that Sri P. Shiva Rao, learned Standing Counsel has furnished that information in pursuance of the earlier directions. Hence, matter is posted to 28-01-2017.

Call on: 28-01-2017
at 11:00 AM

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O.P. No. 32 of 2015
M/s. ITC Ltd Vs APTRANSCO & APSLDC

Petition under Sections 62(6), 142 & 146 of the Electricity Act, 2003 for recovery of transmission charges collected contrary to Transmission Tariff Order dated 09-05-2015 and interest thereon

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

Further 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 respondents, matter is posted to 17-12-2016.

Call on: 17-12-2016
at 11:00 AM

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CHAIRMAN

O.P. No. 10 of 2016
NCL Industries Ltd Vs APSPDCL
Non-furnishing of information as per letter dt.09-08-2016 pursuant to Commission order
dated 18-06-2016 in O.P. No. 10 of 2016

Sri Ch. Anil Kumar, Assistant Manager representing the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Orders pronounced (vide separate order)

“13. On the strength of the amounts indicated in para 12 supra, the tariff payable from 11th year to 20th year stands fixed as hereunder:

Table

Year of Operation	Tariff (Rs./unit)
11 th year	2.62
12 th year	2.67
13 th year	2.72
14 th year	2.77
15 th year	3.06
16 th year	3.26
17 th year	3.22
18 th year	3.20
19 th year	3.18
20 th year	3.26

14. The petitioner shall submit the details of his claim to the respondent towards the difference between the earlier tariff and tariff now determined by this order for the period from 11th year of operation of the generating unit of the petitioner upto 31st December, 2016. On submission of such claim, within 15 days, the respondent shall cause verification of the same and inform the petitioner its acceptance of the claim or any objection for the same. On finalisation of the quantum payable between the parties, the amount so arrived at shall be paid in 6 equal instalments by 20th of each month commencing from January, 2017. In default the respondent shall be liable to pay interest at 6% per annum from the date of default.

15. All the terms and conditions of the order dated 18-06-2016 in O.P.No.10 of 2016 to the extent not modified by this order remain unaltered.

16. This order is subject to any further or final orders that may be passed by Hon'ble Appellate Tribunal for Electricity in this regard”.

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CHAIRMAN

O.P. No. 21 of 2016
APSPDCL & APEPDCL Vs Andhra Pradesh Power Development Company Ltd
(APPDCL)

Public hearing on 26-11-2016 in the matter of application filed u/s 21 (1) & (5) of the A.P. Electricity Reform Act, 1998 for grant of consent for the Amended and Restated Power Purchase Agreement of 2 x 800 MW Sri Damodaram Sanjeevaiah Thermal Power Station (SDSTPS), Stage - I, dated 24-08-2016

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri K. Gopal Choudary, learned counsel for the respondent, Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation and Sri M. Venugopala Rao, Sr. Journalist & Convenor, Centre for Power Studies, learned objectors are present. No other learned objectors are present.

Sri K. Gopal Choudary entered appearance for the respondent. Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation submitted supplementary views, objections and suggestions. Heard Sri K. Gopal Choudary and Sri P. Shiva Rao, learned counsel. For submissions of the objectors, matter is posted to 07-01-2017 at request. Sri M. Venugopala Rao, learned objector is requested to inform the other three objectors who submitted their written objections to the Commission. No other stakeholders are present.

Call on:

07-01-2017
at 11:00 AM

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CHAIRMAN

O.P. No. 22 of 2016
APEPDCL Vs ---

Public hearing on 26-11-2016 in the matter of petition seeking approval of the Commission for implementation of Domestic Efficient Fans Programme (DEFP) in its area of operation in the State of AP (except Narasapuram Revenue Division of West Godavari District) under Demand Side Management Programme

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation, learned objector are present.

Orders pronounced (vide separate order)

“20. Therefore, the petitioner is permitted to implement the Domestic Efficient Fans Programme (DEFP) in the licensed area of APEPDCL with the financial support of M/s. Energy Efficiency Services Limited, New Delhi, subject to the following:

(a) the cost of Distribution and Awareness and Registration in respect of each fan shall be limited to Rs.55/-(Rs 50-00 towards Distribution, Transportation Storage and Registration and Rs 5-00 towards awareness cost).

(b) the total cost of the fan in the event of upfront payment by the consumer shall be subject to a maximum of Rs.1020-00 with the benefits of any reduction in the cost through open competitive bidding being passed on to the consumer. The details of price breakup of per fan are furnished below.

Cost of fan	Rs. 796-95
Distribution, Transportation, Storage and Registration	Rs. 50-00
Awareness	Rs. 5-00
Annual maintenance charges for two years (1.5% of fan cost)	Rs. 23.91
Debt interest cost	Rs. 17.41
Return on equity for 2 months	Rs. 8.80
Sales Tax (14.5%) of total amount	Rs.115.56
Grand total (Rounded to)	Rs.1020.00

(c) if consumer opts to pay in monthly instalments, he shall have to pay a maximum of Rs.47/- per month subject to the benefit of any reduction in the cost through open competitive bidding being passed on to the consumer.

(d) M/s. Energy Efficiency Services Limited shall during the period of warranty of 2 years be responsible for observance of warranty and the consequential maintenance.

(e) the installation of the new fans shall be by the consumer himself for which every possible assistance may be extended by the petitioner and M/s. Energy Efficiency Services Limited.

(f) Implementation of this project has nothing to do with the Aggregate Revenue Requirement of the petitioner in any year.

(g) The project can cover a maximum of 2 (two) Energy Efficient (EE) fans On Bill Financing (OBF) and upto 4 EE fans on Upfront Payment Option (UPO) for domestic consumers and as per requirement basis to commercial consumers and industrial consumers on only Upfront Payment Option (UPO).

(h) M/s. EESL shall prefer APSEEDCO as the distribution agency to undertake distribution of fans in the State of Andhra Pradesh. If EESL proposes any other agency/agencies for undertaking distribution activity of fans, the same has to be done with prior approval of the Commission.

21. While making the payment to M/s. EESL, M/s. APEPDCL shall pay the financial costs, such as interest on debt, return on equity for actual duration period only.

22. The petition is allowed accordingly subject to the above directions and the petitioner shall enter into and submit an Energy Savings Agreement with M/s. Energy Efficiency Services Limited, New Delhi accordingly incorporating all the necessary details as per the directions detailed above and submit the same to the Commission for approval. The petitioner and M/s. Energy Efficiency Services Limited can proceed to take steps for implementation of the programme”.

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