

Record of proceedings dated 19-11-2016

O.P. No. 60 of 2012
Nile Ltd Vs APSPDCL & TSSPDCL

Petition Seeking directions for payment on the monthly power bills

Sri Challa Gunaranjan, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for APSPDCL and Sri Mohd. Arif Wali, learned counsel representing Sri Y. Rama Rao, learned Standing Counsel for TSSPDCL are present.

Mohd. Arif Wali, learned counsel representing Sri Y. Rama Rao, learned Standing Counsel for the Southern Power Distribution Company of Telangana Limited desired that any further proceedings herein shall await the decision of the Hon'ble High Court in the matters relating to jurisdiction of the appropriate Commission. Hence, the matter is posted along with the other matters involving the question of jurisdiction to 03-12-2016.

Call on: 03-12-2016
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 11 of 2015
APSPDCL & APEPDCL Vs Konaseema Gas Power Ltd

Petition under Section 86 (1) (b) and (f) of the Electricity Act, 2003 to delete Clause reflecting alternate fuel in the definition of "Fuel" in the PPA entered by M/s. Konaseema Gas Power Ltd., with APTRANSCO, APDISCOMs,

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri J. Rama Krishna Choudary, General Manager – Finance representing the respondent are present.

Time extended at the request of Sri J. Rama Krishna Choudary, General Manager – Finance of the respondent, posted finally for a full reply to the petition by 17-12-2016.

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

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

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

At request of both the learned counsel, the matter is posted to 17-12-2016.

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

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

R.P. No. 11 of 2015 in O.P. No. 39 of 2014
Empee Power Co (I) Ltd Vs APPCC, APTRANSCO & APSPDCL

Petition for review of the Commission's order dated 23-05-2015 in O.P. No. 39 of 2014

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 Challa Gunaranjan, learned counsel for the petitioner to furnish the required details, the matter is posted to 17-12-2016.

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

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

I.A. No. 2 of 2016 in R.P. No. 13 of 2015 in O.P. No. 39 of 2014
APPCC, APTRANSCO & APSPDCL Vs Empee Power Co (I) Ltd

Petition for review of the Commission's order dated 23-05-2015 in O.P. No. 39 of 2014

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

At request of Sri Challa Gunaranjan, learned counsel for the respondent to furnish the required details, the matter is posted to 17-12-2016.

Call on:

17-12-2016
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 11 of 2016
Sarvaraya Sugars Ltd Vs APTRANSCO, APEPDCL &
SE / TL & SS Circle / APTRANSCO / Rajahmundry

Petition under Section 86 (1) (f) of the Electricity Act, 2003 in the matter of Line
Maintenance Charges claimed by the respondents from the petitioner

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. Therefore, it is declared that the respondents cannot levy and collect maintenance charges from the petitioner in the manner in which they levied and collected or attempted to levy and collect such maintenance charges for the bay, line and metering points connected to the petitioner’s co-generation plant at 132/33 kV sub-station at Ramachandrapuram and consequently the respondents shall refund the amount of `9,21,206/- deducted from the monthly bill for power purchase for April 2015 to the petitioner within three (3) months from the date of this order. The petition is allowed accordingly and the parties shall bear their own costs.”

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
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.

The respondent filed a Memo without prejudice to its contentions before the Hon’ble
Appellate Tribunal for Electricity in Appeal No.248 of 2016 that the tariff already specified at

Table II in the order dated 18-06-2016 may be confirmed subject to any further orders of the Hon'ble Appellate Tribunal for Electricity. Sri Ch. Anil Kumar, Assistant Manager for the petitioner submitted that they have already approached the Hon'ble Appellate Tribunal for Electricity with an appeal against the order dated 18-06-2016 and there is nothing further which the petitioner submits to the Commission. Hence, for consideration and orders, the matter is posted to 26-11-2016.

Call on:

26-11-2016
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

Public hearing on 19-11-2016 on the petition filed by M/s.REI Power Bazaar Pvt. Ltd., under Section 86 (1) (k) r/w Section 66 of the Electricity Act, 2003 seeking permission for setting up and operation of intra-state power market in the State of Andhra Pradesh. Public hearing on the maintainability of the said petition in the absence of any regulation relating to development of market in power.

Sri P. Vikram, learned counsel for the petitioner, Sri Naga Aditya representing Indian Energy Exchange (IEX) are present. The other objectors are not present.

Sri P. Vikram, learned counsel for the petitioner submitted that similar applications have been filed by the petitioner before the State Electricity Regulatory Commissions of Karnataka and Telangana, the result of which is expected soon. Hence, he desired the matter to be adjourned to enable the Commission to have the benefit of perusing the orders of the other two Commissions also. Hence, the matter is posted to 17-12-2016.

Call on:

17-12-2016
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

Public hearing on 19-11-2016 in the matter of determination of Cross Subsidy Surcharge for FY 2005-06 to FY 2012-13 and for FY 2015-16.

Sri P. Shiva Rao, learned Standing Counsel for Distribution Companies of Andhra Pradesh is present.

Orders pronounced (vide separate order)

The Cross Subsidy Surcharge for 2005-06 to 2012-13 and 2015-16 is determined as detailed in the order and the additional surcharge is determined as Nil.

“46. These orders are subject to the interim orders passed by the Hon’ble High Court in W.P.No.12630 of 2006 filed by M/s. Rain Calcining Limited and W.P.No.12554 of 2007 filed by M/s. Visakhapatnam Port Trust and any further or final orders that may be passed by the Hon’ble High Court therein. These orders are also subject to any order that may be passed by the Hon’ble Appellate Tribunal for Electricity or the Hon’ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh or the Hon’ble Supreme Court in any matter pending before them or that may be brought before them concerning the subject matter of these orders.”

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. Nos. 15 & 16 of 2016
APSPDCL & APEPDCL Vs ---

Public hearing on 19-11-2016 in the matter of petitions for determination of Cross Subsidy Surcharge and Additional Surcharge for FY 2016-17 under Sections 39, 40 & 42 of the Electricity Act, 2003

Sri P. Shiva Rao, learned Standing Counsel for the petitioners is present. None of the objectors are present.

Orders pronounced (vide separate order)

The Cross Subsidy Surcharge for 2016-17 is determined as detailed in the order and the additional surcharge is determined as Nil.

“63. These orders are subject to the interim orders passed by the Hon’ble High Court in W.P.No.12630 of 2006 filed by M/s. Rain Calcining Limited and W.P.No.12554 of 2007 filed by M/s. Visakhapatnam Port Trust and any further or final orders that may be passed by the Hon’ble High Court therein. These orders are also subject to any order that may be passed by the Hon’ble Appellate Tribunal for Electricity or the Hon’ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh or the Hon’ble Supreme Court in any matter pending before

them or that may be brought before them concerning the subject matter of these orders.

64. The CSS rates determined above are effective from 01.04.2016.”

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

Public hearing on 19-11-2016 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 AP Transco, APSPDCL and APEPDCL, Sri K. Vijaya Bhaskar Reddy, learned counsel for APGPCL, Sri Challa Gunaranjan, learned counsel for (i) Sri Satyanarayana Spinning Mills Ltd. (ii) Sree Akkamamba Textiles Ltd., & (iii) India Cements Ltd., are present.

Sri K. Vijaya Bhaskar Reddy, learned counsel for Andhra Pradesh Gas Power Corporation Limited (APGPCL) submitted that objections/submissions of APGPCL have been submitted to the Commission. The displeasure of the Commission for the APGPCL being unrepresented before this Commission in spite of notice has been conveyed to the learned counsel. Sri P. Shiva Rao, learned Standing Counsel for the Licensees requests for time for filing their response to the objections of APGPCL. Hence, the matter is posted to 03-12-2016.

Call on:

03-12-2016
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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

Public hearing on 19-11-2016 on 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, learned objector are present.

Sri M. Thimma Reddy, learned objector and Sri P. Shiva Rao, learned Standing Counsel for the petitioner are heard. The other objectors are not present. For orders, the matter is posted to 26-11-2016.

Call on: 26-11-2016
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

Public hearing on 19-11-2016 on Draft Regulations for Forecasting, Scheduling, Deviation Settlement and Related Matters of Solar and Wind Generation Sources

Sri Ravindra Kadam, Sri Pradeep Kumar, representing Indian Wind Energy Association, Sri Prosenjit Chakraborty, Sr. Manager, representing Asset Management, Energon Power Resources Pvt.Ltd., Sri Amresh Kosla, representing Manikaran Analytics Ltd., Sri Tushar Goel, representing Mytrah Energy (India) Ltd., Sri K. Gopal Choudary, Advocate and Sri N. Alagiri representing ITC Limited, Dr. Manish Kanna, representing ACME Cleantech Solutions Pvt. Ltd., Sri Avinish Pandey, representing M/s. INOX Renewable Ltd., Sri Siddhartha Priyadarshini, representing Reconnect Energy Solutions Pvt. Ltd., Sri Vinod Kumar Agrawal, Sri Ravindranath, Sri R. Koti Rao, Director, representing Tirumala Cotton & Agro Products Ltd., and Sri Sunil Kondu, representing GREENCO are present. The other objectors are not present.

All the objectors or their representatives present are heard. The draft regulation will be processed further in accordance with law by the Commission.

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 21 of 2015 and I.A. No. 5 of 2016 & I.A. No. 9 of 2016

Hinduja National Power Corporation Ltd (HNPCL) Vs APEPDCL & APSPDCL

Public hearing on 19-11-2016 on petition for determination of capital cost of the coal fired power station of 1040 MW (2 x 520 MW) capacity in the District of Visakhapatnam under Clause 10.8 of Regulation No. 1 of 2008 (Terms and conditions for determination of tariff for supply of electricity by a generating company to distribution licensee and purchase of electricity by distribution licensee) Regulations, 2008 r/w 61, 62 & 64 of the Electricity Act 2003

I.A. No. 5 of 2016 filed by the petitioner (HNPCL) seeking directions of the Commission to the respondents to pay tariff of Rs.1.80 per unit as variable cost and Rs. 2.16 per unit as the fixed cost (aggregating to Rs.3.96 per unit at 80% availability), with effect from 01-04-2016, by curtailing the control period from 30-04-2016 to 31-03-2016.

I.A. No. 9 of 2016 filed by the respondents (APDISCOMs) requiring a detailed breakup of the estimated project cost from June 2010 to date of filing of the original petition.

Sri Sridhar Prabhu, Sri P. Ravi Charan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present. None of the objectors are present.

Further details relating to the project cost have been submitted by the petitioner. Sri P. Shiva Rao, learned Standing Counsel for the Distribution Companies sought for time for submitting response of the Distribution Companies to the further information now furnished. Hence, the matter is posted to 03-12-2016.

Call on: 03-12-2016
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 19 of 2016

APEPDCL & APSPDCL Vs Hinduja National Power Corporation Ltd (HNPCL)

Public hearing on 19-11-2016 on petition for grant of approval of PPA to 1040 MW (2 x 520 MW) coal fired power station of HNPCL under section 86 (1) (b) of the Electricity Act, 2003

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri Sridhar Prabhu, Sri P. Ravi Charan, learned counsel for the respondent are present. None of the objectors are present.

The written submissions on the suggestions of Sri M. Venugopala Rao and Sri A. Punna Rao were stated to have been already submitted to the Commission by the petitioners and the respondent. Hence, for hearing, the matter is posted to 03-12-2016.

Call on: 03-12-2016
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN