

Record of proceedings dated 17-12-2016

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 E. Satish Kumar, learned Advocate for the respondent are present.

Sri E. Satish Kumar entered appearance for respondent and sought for time for filing the full-fledged counter. Hence, time extended as a last chance till 21-01-2017.

Call on: 21-01-2017
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 Advocate for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

At request of both parties, the matter is posted to 21-01-2017.

Call on: 21-01-2017
at 11:00 AM

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

Post along with I.A.No.2 of 2016 in R.P.No.13 of 2015 in O.P.No.39 of 2014.

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at 11:00 AM

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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 Advocate for the respondent are present.

Sri Challa Gunaranjan, learned Advocate submitted that the required details were
furnished on 13-12-2016. Counter filed by the petitioners to the memo filed by the
respondent. Hence, the matter is posted for hearing to 31-12-2016.

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at 11:00 AM

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

At request for filing the copies of the orders, the matter is posted to 31-12-2016.

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at 11:00 AM

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

Learned Standing Counsel for the respondent filed a memo with documents and sought for time for hearing. Hence, the matter is posted to 31-12-2016.

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

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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.

Heard Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri P. Vikram, learned counsel for the respondent. The petitioner filed a petition under clause 55 of the APERC (Conduct of Business) Regulations seeking permission to withdraw the main petition with liberty to file an appropriate petition at a later date. Sri P. Vikram,

learned counsel for the respondent has no objection for the petition being allowed. Hence, the petition is allowed. The petitioner is permitted to withdraw the main O.P.No.23 of 2016. The petitioner is at liberty to pursue any remedies available to it under law concerning the subject matter of the main petition O.P.No.23 of 2016 irrespective of the withdrawal of the same now. The parties shall bear their own costs.

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

Counter filed by the respondents 1 to 3. For rejoinder, at request, posted to 31-12-2016.

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31-12-2016
at 11:00 AM

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O.P. No.20 of 2015 & I.A.No.11 of 2016
Empee Power Co (I) 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 K. Gopal Choudary and Sri Challa Gunaranjan, learned Advocates for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Counter Affidavit filed by the respondent on the request to receive additional pleadings made in I.A.No.11 of 2016. Both the learned counsel are heard. I.A.No.11 of 2016 will be allowed on payment of costs of ₹1,000/- to Sri G.V. Brahmananda Rao, learned counsel for respondent on or before 31-12-2016, in default, I.A. stands dismissed.

Call on: 31-12-2016
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, learned Advocate for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

At request of learned counsel for respondents, the matter is posted to 31-12-2016.

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at 11:00 AM

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O.P. No. 27 of 2016
Shri Girija Alloy & Power (I) Ltd Vs APTRANSCO & APEPDCL

Petition under Section 86 (1) (f) r/w Section 46 of the Electricity Act, 2003 seeking directions to refund the excess of development charges paid i.e., Rs.3,12,60,226/- with subsequent interest at 18%

Sri S.V. Ramana, learned Advocate for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri P. Shiva Rao, learned Standing Counsel filed Vakalat for both the respondents. For counter, time extended to 21-01-2017.

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at 11:00 AM

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M/s. Weizmann Ltd Vs APSPDCL

Petitioner under Section 64 (1) r/w Section 62 (1) (a), 61 and 86 of the Electricity Act, 2003 seeking determination of tariff for supply of electricity generated by the petitioner from its 7.5 MW wind power project to the respondent, being the commencement of the 21st year following the commercial operation date of the project, will be taken up for hearing by the Commission about its maintainability

Sri K. Gopal Choudary and Sri Challa Gunaranjan, learned Advocates for the petitioner is present.

At request, the matter is posted for hearing to 31-12-2016.

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

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M/s. Weizmann Ltd Vs APPCC, TSPCC, APSPDCL & TSSPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC Conduct of Business Regulations, 1999 for non-payment of monthly power bills, will be taken up for hearing by the Commission about its maintainability

Sri K. Gopal Choudary and Sri Challa Gunaranjan, learned Advocates for the petitioner is present.

At request, the matter is posted for hearing to 31-12-2016.

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at 11:00 AM

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O.P. No. 26 of 2016
M/s. JITF Urban Infrastructure Ltd Vs APSPDCL

Petition under Section 86 (1) (a) of the Electricity Act, 2003 r/w Regulation 55 for a direction to apply agricultural tariff to Solid Waste Management Project to be setup in the State of A.P., under promotional benefit in line with the Hon'ble Supreme Court & Ministry of Urban Development directives

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

The matter is posted to 21-01-2017 for counter and also for reporting the stand of APSPDCL after discussions in the APPCC as stated in their letter dated 14-12-2016.

Call on:

21-01-2017
at 11:00 AM

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Public hearing on 17-12-2016 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 and Sri M. Venugopala Rao, learned objector are present.

Sri P. Vikram, learned counsel for the petitioner submitted that he has instructions to have the petition amended by clarifying that it is not a power exchange that the petitioner proposes to establish and he also seeks time to verify the legal position and the results of the matters pending before Karnataka State Electricity Regulatory Commission, Kerala State Electricity Regulatory Commission and in the appeal pending before the Hon'ble Appellate Tribunal for Electricity against the decision of the Rajasthan State Electricity Regulatory Commission and hence posted to 21-01-2017.

Call on:

21-01-2017
at 11:00 AM

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Public Hearing on 17-12-2016 on draft APERC Renewable Power Purchase Obligation (Compliance by Purchase of Renewable Energy / Renewable Energy Certificate) Regulation, 2016.

Sri Ravindra Kadar, Deputy Manager, Officer of Suzulon Energy Limited representing Indian Wind Energy Association, New Delhi, Sri Dharmendra Gupta representing Adani Green Energy Ltd., Ahmedabad, Sri P.E. Pradeep, representing Saint Gobain, Renigunta, Chief Engineer, IPC & PS, APPCC, Hyderabad, Sri Vedavyasa Rao, representing APSEB Engineers Association, Hyderabad, Sri M. Venugopala Rao, Senior Journalist & Convener, Centre for Power Studies, Hyderabad, Sri A. Punna Rao, Vijayawada, Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity

Regulation, Hyderabad, Sri Thushal Goel representing Mytrah Energy (India) (P) Ltd., Hyderabad, learned objectors and Sri P. Shiva Rao, learned Standing Counsel for SLDC, AP Transco are present.

Sri Ravindra Kadar, Deputy Manager, Officer of Suzulon Energy Limited representing Indian Wind Energy Association, New Delhi, Sri Dharmendra Gupta representing Adani Green Energy Ltd., Ahmedabad, Sri P.E. Pradeep, representing Saint Gobain, Renigunta, Chief Engineer, IPC & PS, APPCC, Hyderabad, Sri Vedavyasa Rao, representing APSEB Engineers Association, Hyderabad, Sri M. Venugopala Rao, Senior Journalist & Convener, Centre for Power Studies, Hyderabad, Sri A. Punna Rao, Vijayawada, Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation, Hyderabad, Sri Thushal Goel representing Mytrah Energy (India) (P) Ltd., Hyderabad, learned objectors and Sri P. Shiva Rao, learned Standing Counsel for SLDC, AP Transco are heard. The other objectors are absent. The public hearing is closed. The Commission will pursue further necessary action to finalize the proposed Regulation in due course.

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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 17-12-2016 on the 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 and Sri P. Ravi Charan, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for the respondents, Sri M. Venugopala Rao, Senior Journalist, Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation, Sri A. Punna Rao, Convenor, Peace, learned objectors are present.

Sri Sridhar Prabhu and Sri P. Ravi Charan, learned counsel for the petitioner submitted that all the information required by the Commission, the other side and the objectors is furnished. To enable the respondents and the objectors to verify themselves the information and respond appropriately, the matter is posted to 31-12-2016.

Call on:

31-12-2016
at 11:00 AM

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O.P. No. 19 of 2016
APEPDCL & APSPDCL Vs Hinduja National Power Corporation Ltd (HNPCL)

Public Hearing on 17-12-2016 on the 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, Sri Sridhar Prabhu and Sri P. Ravi Charan, learned counsel for the respondent, Sri M. Venugopala Rao, Senior Journalist, Sri A. Punna Rao, Convenor, Peace and Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation, learned objectors are present.

The copies of the objections raised by the APSEB Engineers' Association in their representation dated 13-12-2016 have been served on the learned counsel for both parties and they are requested to furnish their response to the same by the next date of hearing, due to which the Commission did not proceed with making the order today. Both the parties are also asked by the Commission to specify the procedure that is proposed to be developed by 2.1. (b) (vi) proposed to be incorporated now by the joint memo in the Power Purchase Agreement. Both parties are requested not to leave any material or relevant factor in the Agreement unspecified while proposing either the Agreement or any proposed changes in the draft. For further hearing posted to 31-12-2016.

Call on:

31-12-2016
at 11:00 AM

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