

Record of proceedings dated 03-06-2017

O.P. No. 20 of 2017

APSPDCL Vs ---

Petition seeking approval of the Commission for implementation of Agricultural DSM project through distribution of BEE 5 star rated 5HP submersible pump sets and smart control panels with 5 years warranty in the eight districts of Andhra Pradesh namely; Krishna, Guntur, Prakasam, SPSR Nellore, Chittoor, YSR Kadapa, Anantapur and Kurnool 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.

Views and suggestions are received from Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation and Sri N. Sreekumar, Prayas (Energy Group). Sri M. Thimma Reddy, learned objector is present and he is heard on his views. Sri P. Shiva Rao, learned Standing Counsel for the petitioner is heard. For orders, the matter is posted to 17-06-2017. Sri P. Shiva Rao, learned Standing Counsel for the petitioner is requested to furnish the written response of the petitioner to the suggestions of Sri M. Thimma Reddy and Sri N. Sreekumar and also data relating to the Rajanagaram experiment on the agricultural pump sets within a week. Copies of its responses have to be furnished to the learned objectors.

Call on:

17-06-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

Public hearing on Load Forecasts, Resource Plans, Investment Plans and State Electricity Plan

Sri K. Gopal Choudary, learned counsel, Sri P. Shiva Rao, learned Standing Counsel for AP Transco, Sri M. Venugopala Rao, Senior Journalist & Convenor, Centre for Power Studies, Sri M. Thimma Reddy, Convenor, People's Monitoring Group on Electricity Regulation, learned objectors are present.

With reference to the letter of AP Transco dated 31-05-2016 requesting for fixing another date under Para 5.2 of the guidelines for Load Forecast etc., for inviting suggestions and objections from all the stakeholders, the AP Transco shall publish the draft electricity plan and invite suggestions and objections thereon from the licensees, generating companies, the Commission and the public by 24-06-2017 (Saturday). The AP Transco shall file its responses to the views and suggestions received, before the Commission on or before 01-07-2017 (Saturday). The AP Transco shall serve copies of its responses on all the objectors and Sri K. Gopal Choudary, learned counsel who is requested by the Commission to assist it in the matter. The office of the Commission may serve copies of the material papers on Sri K. Gopal Choudary, learned counsel in the meanwhile. Hence, posted for hearing to 01-07-2017. The business plan required to be filed by the licensees has also to be filed on or before 24-06-2017 and copies of the same be served on the learned objectors already on record and Sri K. Gopal Choudary, learned counsel.

Call on:

01-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

R.P. No. 1 of 2017 in O.P. No. 25 of 2016

APSPDCL Vs ---

Petition seeking revision of certain conditions in the approval granted by the Commission for implementation of Domestic Efficient Fans Programme (DEFP) in seven districts in its area of operation (except Krishna District) under Demand Side Management Programme, vide order dated 07-12-2016 passed in O.P.No.25 of 2016

Sri P. Shiva Rao, learned Standing Counsel for the petitioner is present.

Orders pronounced (vide separate order)

“12. Therefore, the petitioner is permitted to allow EESL to fix up agency for distribution of fans through bidding process and also permitted to implement DEFP in licensed area of APSPDCL subject to the following modifications in the terms and conditions specified in para 18 of the order of this Commission in OP.No. 25/2016 dated 07-12-2016.

- a) If consumer opts to pay in monthly instalments, he shall have to pay a maximum of Rs.49/- per month subject to the benefit of any reduction in the cost through open competitive bidding being passed on to the consumer.
- b) M/s. Energy Efficiency Services Limited shall during the period of warranty of 2½ years be responsible for observance of warranty and the consequential maintenance.

13. The petition is allowed accordingly subject to the above directions. The petitioner and Energy Efficiency Services Limited can proceed to take steps for implementation of the programme accordingly”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

R.P. No. 2 of 2017 in O.P. No. 22 of 2016

APEPDCL Vs ---

Petition seeking revision of certain conditions in the approval granted by the Commission for implementation of Domestic Efficient Fans Programme (DEFP) in its area of operation (except Narasapuram Revenue Division of W.G. District) under Demand Side Management Programme, vide order dated 26-11-2016 passed in O.P.No.22 of 2016

Sri P. Shiva Rao, learned Standing Counsel for the petitioner is present.

Orders pronounced (vide separate order)

“12. Therefore, the petitioner is permitted to allow EESL to fix up agency for distribution of fans through bidding process and also permitted to implement DEFP in licensed area of APEPDCL subject to the following modifications in the terms and conditions specified in para 18 of the order of this Commission in OP.No. 22/2016 dated 26-11-2016.

- a) If consumer opts to pay in monthly instalments, he shall have to pay a maximum of Rs.49/- per month subject to the benefit of any reduction in the cost through open competitive bidding being passed on to the consumer.
- b) M/s. Energy Efficiency Services Limited shall during the period of warranty of 2½ years be responsible for observance of warranty and the consequential maintenance.

13. The petition is allowed accordingly subject to the above directions. The petitioner and Energy Efficiency Services Limited can proceed to take steps for implementation of the programme accordingly”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 30 of 2016

M/s. SIFLON Drugs Vs APTRANSCO, APSPDCL & NREDCAP

Petition under Section 86 (1) (f) of the Electricity Act, 2003 read with Regulation 8 of APERC (Conduct of Business) Regulations 1999 and seeking directions for giving credit of the wind power units amounting to 1.2 million by banking the units for the period between 23-03-2015 to 14-06-2016

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

There is no representation from the petitioner and its counsel. No rejoinder is filed. For hearing, the matter is posted to 01-07-2017.

Call on:

01-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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 P. Shiva Rao, learned Standing Counsel for the respondents is present.

None appeared for the petitioner. Sri P. Shiva Rao, learned Standing Counsel for the respondents is ready. Hence, the matter is posted for final hearing to 17-06-2017.

Call on:

17-06-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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 Karan Batura, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent is present.

Sri Karan Batura, learned counsel entered appearance for the petitioner in the place of Sri V. Krishna Mohan. For rejoinder, time extended till 15-07-2017.

Call on:

15-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 20 of 2015

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

At request of the learned counsel for both parties, the matter is posted to 15-07-2017.

Call on:

15-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

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

At request of the learned counsel for both parties, the matter is posted to 15-07-2017.

Call on:

15-07-2017
at 11:00 AM

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.

As per the directions of the Hon'ble Appellate Tribunal for Electricity in Appeal Nos.150 of 2011 and batch (including Appeal No.172 of 2011 relating to the petitioner), the petitioner has to provide complete data of capital cost which learned counsel stated has

already been provided. The office of the Commission shall cause complete verification of data provided and place a note before the Commission about completeness or otherwise of the data provided before the next date of hearing. For hearing, the matter is posted to 22-07-2017.

Call on:

22-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

I.A.No.3 of 2017 in O.P. No. 1 of 2015

M/s. Sai Laxmi Tulasi Ferros Pvt. Ltd Vs State of AP & APSPDCL

Petition filed 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 2015-16 for the Category of HT-1 (B) consumers

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

Rejoinder not filed. For hearing, the matter is posted to 17-06-2017.

Call on:

17-06-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
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 Srinivas Mantha, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Rejoinder filed. For hearing, the matter is posted to 29-07-2017.

Call on:

29-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
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 Srinivas Mantha, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Rejoinder filed. For hearing, the matter is posted to 29-07-2017.

Call on:

29-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
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 Srinivas Mantha, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Rejoinder filed. For hearing, the matter is posted to 29-07-2017.

Call on:

29-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 16 of 2017

M/s. WAANEER 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.WAANEER / D.No.556 /16 dt.20-09-2016 and for other reliefs

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

Rejoinder filed. For hearing, the matter is posted to 29-07-2017.

Call on:

29-07-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 4 of 2017

APEPDCL Vs M/s. Srivathsa Power Projects Ltd

Petition filed under Section 86 (1) (b) & (f) of the Electricity Act, 2003 to amend the Article 2.4 of the PPA subsisting with the respondent
Sri P. Shiva Rao, learned Standing Counsel for the petitioner is present.

None appeared for the respondent. Time extended for counter finally till 17-06-2017.

Call on: 17-06-2017
at 11:00 AM

Sd/-
MEMBER / PR

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 P. Shiva Rao, learned Standing Counsel for the petitioners and Sri P. Vikram, learned counsel for Reliance Infrastructure Ltd., are present.

Counter filed. For rejoinder, if any, the matter is posted to 17-06-2017.

Call on: 17-06-2017
at 11:00 AM

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

Learned Standing Counsel for the petitioner stated that there is no rejoinder. For hearing, the matter is posted to 05-08-2017.

Call on:

05-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.31 of 2016

M/s. Rain Cements Ltd Vs APSLDC & APSPDCL

Petition under Section 86 (1) (e) of the Electricity Act, 2003 r/w clause 9 of Regulation 1 of 2012 for exempting the petitioner from the Renewable Power Purchase Obligation under Regulation 1 of 2012

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

At request of the learned counsel for both parties, the matter is posted for hearing to 09-06-2017 at 2:30 PM.

Call on:

09-06-2017
at 2:30 PM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 3 of 2017

M/s. Tirumala Cotton & Agro Products Pvt. Ltd Vs APTRANSCO and APSPDCL & 2 others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging levy of Transmission Charges & Wheeling Charges on account of wheeling the power from its wind power plants for captive consumption

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

Petitioner filed a memo stating that a balance of Rs.11,12,271/- is still due from the respondents. Sri P. Shiva Rao, learned Standing Counsel requested time to verify and report. Hence, the matter is posted to 09-06-2017 at 2:30 PM.

Call on:

09-06-2017
at 2:30 PM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P. No. 13 of 2017

M/s. Ravali Spinners Pvt Ltd Vs APTRANSCO

Petition u/s 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging levy of Transmission Charges on account of wheeling the power from its wind power plants for captive consumption

Sri T. Vizhay Babu, 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 Babu, learned counsel for the petitioner stated that principal amount claimed is paid and requested time to get instructions from the client. Hence, the matter is posted to 09-06-2017 at 2:30 PM.

Call on:

09-06-2017
at 2:30 PM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN