

**Record of proceedings dated 30-07-2016**

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 is present.

There is no representation for the respondent, like on the earlier occasions. No counter is filed. A notice was served by way of abundant caution in the interests of justice on the respondent intimating about the matter being posted to today, as a last chance for counter and hearing. Hence, the Commission is compelled to proceed to hear the petitioners and decide the matter on merits. Hence, the matter is posted for arguments to 06-08-2016.

Call on: 06-08-2016  
at 11:00 AM

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

At request for learned counsel for both parties, posted for arguments to 20-08-2016.

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O.P No. 50 of 2013 & I.A. No. 26 of 2013  
M/s. KCP Limited Vs APTRANSCO & SPDCL & 2 others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 in relation to billing on reactive power surcharge on reactive power drawn by the petitioner's Mini-Hydel project under the amended and restated Power Wheeling & Purchase Agreement dt. 17.03.1999

Interlocutory Application No. 26 of 2013, also filed by the petitioner for stay of collection of demand for reactive power surcharge and surcharge thereon under the APERC (Conduct of Business) Regulations, 1999

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 for learned counsel for both parties, posted to 06-08-2016. The interim direction granted earlier shall continue till the next date of hearing.

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O.P. No. 51 of 2014 & I.A. No. 14 of 2014  
M/s. Shree Jayalakshmi Powercorp Ltd Vs APTRANSCO & APSPDCL & 2 others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 in relation to billing on reactive power surcharge on reactive power drawn by petitioner (Mini Hydel Power Plant) under Amended and Restated Power Wheeling & Purchase Agreement dt. 03.09.1998 and the application for interim relief

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 for learned counsel for both parties, posted to 06-08-2016. The interim direction granted earlier shall continue till the next date of hearing.

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O.P. No. 52 of 2014 & I.A. No. 15 of 2014  
M/s. Espar Pak Ltd Vs APTRANSCO & APSPDCL & 2 others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 in relation to billing on reactive power surcharge on reactive power drawn by petitioner (Mini Hydel Power Plant) under Power Wheeling & Purchase Agreement dt. 11.01.2000 and the application for interim relief

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 for learned counsel for both parties, posted to 06-08-2016. The interim direction granted earlier shall continue till the next date of hearing.

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O.P. No. 53 of 2014 & I.A. No. 16 of 2014  
M/s. Tirumala Cotton & Agro Pvt Ltd Vs APTRANSCO & APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 in relation to billing on reactive power surcharge on reactive power drawn by petitioner (Mini Hydel Power Plant) under Amended and Restated Power Wheeling & Purchase Agreement dt. 19.10.2000 and the application for interim relief

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 for learned counsel for both parties, posted to 06-08-2016. The interim direction granted earlier shall continue till the next date of hearing.

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O.P.No.54 of 2014 & I.A.No.17 of 2014

M/s. Akshay Profiles Pvt Ltd Vs APTRANSCO & APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 in relation to billing on reactive power surcharge on reactive power drawn by petitioner (Mini Hydel Power Plant) under Power Purchase & Wheeling Agreement dt. 11.01.2000 and the application for interim relief

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 for learned counsel for both parties, posted to 06-08-2016. The interim direction granted earlier shall continue till the next date of hearing.

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O.P. No. 55 of 2014 & I.A. No. 1 of 2015

M/s. RPP Ltd Vs APSPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 seeking dispute with regard to the demands for surcharge for reactive energy and delayed payment surcharge thereon in respect of Mini Hydel Power Plant of the petitioner

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

At request for learned counsel for both parties, posted to 06-08-2016. The interim direction granted earlier shall continue till the next date of hearing.

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O.P. No. 58 of 2014 & I.A. No. 18 of 2014  
M/s. Sri Dhanalakshmi Cotton & Rice Mills Pvt Ltd Vs APTRANSCO & APSPDCL & 2  
others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 in relation to billing on reactive power surcharge on reactive power drawn by petitioner (Mini Hydel Power Plant) under Amended and Restated Power Wheeling & Purchase Agreement dt. 25.07.1998 and the application for interim relief

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 for learned counsel for both parties, posted to 06-08-2016. The interim direction granted earlier shall continue till the next date of hearing.

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

Sri Challa Gunaranjan, learned counsel for the petitioner has argued that they have filed all the relevant documents like a certificate from the Auditor to prove the purchases. Sri P. Shiva Rao, learned Standing Counsel for the respondents has raised some doubts about the authenticity and correctness of the claim. Hence, learned counsel for the petitioner is requested to file complete audited accounts like income & expenditure,

balance sheet and all the supporting documents to verify the claim. Hence, at request of both parties, matter is posted to 06-08-2016.

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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 counsel for the respondent are present.

This is related to the earlier petition (R.P.No.11 of 2015 in O.P.No.39 of 2014). At request of the learned Standing Counsel for the petitioners and the learned counsel for the respondent, matter is posted to 06-08-2016 to be heard along with R.P.No.11 of 2015 in O.P.No.39 of 2014.

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O.P. No. 12 of 2015  
Indira Power Pvt Ltd Vs APSPDCL & 7 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 seeking declaration that the petitioner's 700 kWp Solar PV power plant is entitled to draw power without a High Tension Service Connection with minimum contacted demand of 70 kVA & other reliefs.

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

Orders are not pronounced, as it is found on a study of the record that a letter of undertaking dated 21-06-2014 referred to in the petition and in the list of events filed by the petitioner, was the only document which was not filed by the petitioner before the Commission, the same having been omitted significantly in the list of documents. The petitioner or the respondents shall produce either the said Letter of Undertaking or an authenticated copy of it before the Commission, for consideration of the matter on merits by 03-08-2016 and the matter is posted for orders to 06-08-2016.

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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

Ms. Avani Bommineni, learned counsel representing Sri Avinash Desai, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The relevant information from the APPCC is stated to be still awaited. APPCC is a party to the proceedings represented by Sri P. Shiva Rao, learned Standing Counsel. Therefore, Sri P. Shiva Rao, learned Standing Counsel for APPCC is requested to make known the stand of APPCC concerning the information sought for by the petitioner or furnish the information to the petitioner and the Commission, if it is available with APPCC by the next hearing date. Posted to 20-08-2016.

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

At request of the learned Standing Counsel for the respondent, matter is posted to 03-09-2016.

Call on: 03-09-2016  
at 11:00 AM

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O.P.No.27 of 2015 & I.A.No.35 of 2015  
Sammera Paper Industry Ltd Vs APEPDCL

Petition u/s 62 (1) (a) read with 86 (1) (a) of the Electricity Act, 2003 to direct the respondent to purchase power generated by it and to pay the generic tariff fixed by the Commission as well as the Interlocutory Application

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

The status of the biomass power projects in the State has been placed before the Commission through a Memo by the petitioner in O.P.No.18 of 2016. Sri Challa Gunaranjan, learned counsel for the petitioner herein is requested to cause the data analyzed and presented before the Commission on the next date of hearing on the ramifications of a decision on the petition on merits on the remaining biomass power projects and/or the electricity industry in the State and Sri P. Shiva Rao, learned Standing Counsel for the respondent also is requested to make an analytical study of the matter and present the same before the Commission. Posted to 06-08-2016.

Call on: 06-08-2016  
at 11:00 AM

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O.P.No.18 of 2016  
APEPDCL Vs M/s. Vishnu Vidyut India Ltd.

Petition filed on the representation of M/s. Vishnu Vidyut India Ltd., 7.5 MW Bio-mass based power plant for sale of power to APEPDCL under long term PPA

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

Post along with O.P.No.27 of 2015.

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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.

Counter filed. Sri T. Vizhay Babu, learned counsel for the petitioner sought for time for filing rejoinder. Hence, posted to 20-08-2016.

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at 11:00 AM

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Public hearing on 30-07-2016 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 the petitioner, Sri K. Gopal Choudary, learned counsel representing (i) RVK Energy Pvt. Ltd., (ii) RPP Ltd., (iii) Sree Rayalaseema Green Energy Ltd., (iv) HCL Agro Power Ltd., (v) Sudha Agro Oil & Chemical Industries Ltd., (vi) Espar Pak Ltd., (vii) Kusalava Power Pvt. Ltd., (viii) Sagar Power Ltd., (ix) Shivani Power Spinners Ltd., (x) Sri Jayalakshmi Power Corporation Ltd., (xi) Akshay Profiles Pvt. Ltd., (xii) Thirumala Cotton & Agro Products Pvt. Ltd., (xiii) Biomass Energy Developers Association (xiv) Trident Power Systems Ltd., (xv) The Andhra Sugars Ltd., (xvi) Jyothi Bio Energy Ltd., and (xvii) SKJ Power Projects Ltd., Sri Alladi Ravinder, learned counsel representing Sree Rayalaseema Alkalies and Allied Chemicals Ltd., Sri T. Vizhay Babu, learned counsel representing Sri Challa Gunaranjan, learned counsel representing (i) Synergies Casting Ltd., (ii) NCS Sugars Ltd., (iii) The Jeypore Sugar Company Ltd., (iv) Sagar Cements Ltd., (v) Sree Papers Ltd., (vi) EID Parry (India) Ltd., (vii) Sarvaraya Sugars Ltd., (viii) Sri Lakshmi Tulasi Agro Papers Pvt. Ltd., and (ix) Madhucon Sugar & Power Industries Ltd., Sri Shiva Kumar, representing (i) The Federation of Telangana and Andhra Pradesh Chambers of Commerce and Industry (FTAPCCI) and (ii) A.P. Spinning Mills Association, Sri M. Venugopala Rao, Senior Journalist and Sri Aditya, representing Indian Energy Exchange (IEX), learned objectors are present.

Sri P. Shiva Rao, learned Standing Counsel for the petitioner is requested to cause compliance of the directions of the Commission dated 10-06-2016 and 25-06-2016 and place the true and correct data supporting the Cross Subsidy Surcharge and Additional Surcharge proposals made by the distribution companies on recalculation by the next date of hearing and the learned objectors are free to file any further responses also in the meantime or after such information is furnished to the Commission. For further information and data from the distribution companies, posted to 27-08-2016.

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

Public hearing on 30-07-2016 in the matter of determination of Cross Subsidy Surcharge and Additional Surcharge for FY 2016-17 under Sections 38, 39, 40 & 42 (2) of the Electricity Act, 2003

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri Shiva Kumar, representing The Federation of Telangana and Andhra Pradesh Chambers of Commerce and Industry (FTAPCCI), Sri K. Gopal Choudary, learned counsel representing (i) ITC Ltd., Chirala, (ii) M/s. Sree Rayalaseema Green Energy Ltd., (iii) Biomass Energy Developers Association, (iv) M/s. RPP Ltd., and (v) M/s. Espar Pak Ltd., Sri Challa Gunaranjan, learned counsel representing M/s. Synergies Castings Ltd., and Sri Alladi Ravinder, learned counsel representing M/s. Sree Rayalaseema Alkalies and Allied Chemicals Ltd., Sri Sandeep Kumar Bairoliya representing A.P. Ferro Alloys Producers Association, Sri M. Venugopala Rao, Senior Journalist, learned objectors are present.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners is requested to cause compliance of the directions of the Commission dated 10-06-2016 and 25-06-2016 and place the true and correct data supporting the Cross Subsidy Surcharge and Additional Surcharge proposals made by the distribution companies on recalculation by the next date of hearing and the learned objectors are free to file any further responses also in the meantime or after such information is furnished to the Commission. For further information and data from the distribution companies, posted to 27-08-2016.

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Public hearing on 30-07-2016 in I.A. No. 5 of 2016, I.A. No. 9 of 2016 & I.A. No. 10 of 2016 in O.P. No. 21 of 2015

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

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 ad Rs. 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 contro 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.

I.A. No. 10 of 2016 additional submissions filed by the respondents (APDISCOMs) under Clause 16 of APERC (Conduct of Business) Regulations, 1999.

Sri Sridhar Prabhu, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for the respondents and Sri M. Venugopala Rao, Senior Journalist are present.

Learned Standing Counsel for the respondents filed a memo on behalf of respondents 1 and 2 stating that if Table-2 of the reply of the distribution companies in I.A.No.5 of 2016 were to be acted upon, the actual increase of cost per unit will be 0.21 ps. Sri Sridhar Prabhu, learned counsel for the petitioner requested time to cause verification and place the statements of the petitioner before the Commission. Hence, posted to 06-08-2016.

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R.P. No. 2 of 2016 in O.P. No. 13 of 2015  
APTRANSCO Vs ---

Public hearing on 30-07-2016 in the matter of review of the Commission order dated 07-11-2015 in O.P. No. 13 of 2015 on certain issues in the True-up of Transmission Business for 2<sup>nd</sup> control period (FY 2009-10 to FY 2013-14).

Sri P. Shiva Rao, learned Standing Counsel for the petitioner, Sri Dinesh Paruchuri, Director (Finance) representing the petitioner, Sri K. Gopal Choudary, Amicus Curiae and Sri M. Venugopala Rao, Senior Journalist are present.

Arguments of Sri Dinesh Paruchuri, Director (Finance) representing the petitioner, Sri P. Shiva Rao, learned Standing Counsel for the petitioner, Sri K. Gopal Choudary, Amicus Curiae and Sri M. Venugopala Rao, learned objector are heard and concluded. For orders, posted to 20-08-2016.

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