

Record of proceedings dated 15-07-2017

O.P. No. 2 of 2017
M/s. Richmond Power Pvt. Ltd. Vs APEPDCL

Petition filed u/s 86 (1) (a) of the Electricity Act, 2003 r/w Regulation 55 [Saving of inherent power of the Commission] of the APERC (Conduct of Business) Regulations, 1999

Sri N. Satyanarayana, learned counsel representing Sri P. Vikram, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for the respondent and Sri M. Venugopala Rao, Sr. Journalist & Convener, Centre for Power Studies, learned objector are present.

Petitioner filed copies of the details of the actual cost of the project. Sri P. Shiva Rao, learned Standing Counsel for the respondent sought for time for filing their response to the information furnished. Hence, the matter is posted to 05-08-2017.

Call on:

05-08-2017
at 11:00 AM

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O.P. No. 5 of 2017
APSPDCL & APEPDCL Vs ---

Petition filed under Regulation 55 (1) & (2) of APERC (Conduct of Business) Regulations, 1999 and Regulation 23 to 26 of the APERC (Terms and Conditions for tariff determination for wind power projects in the State of AP for the period FY 2015-16 to FY 2019-20) Regulations, 2015 requesting the Commission to curtail or limit the control period of the above mentioned Regulation No. 1 of 2015 upto 31-03-2017

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri N. Satyanarayana, learned counsel representing Sri P. Vikram, learned counsel representing Indian Wind Energy Association, Sri M. Venugopala Rao, Sr. Journalist & Convener, Centre for Power Studies and Sri V. Sailendra representing Indian Wind

Power Association (AP State Council), learned objectors are present. For paucity of time, the matter is posted for hearing to 26-08-2017.

Call on:

26-08-2017
at 11:00 AM

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O.P.No.1 of 2017
APSPDCL & APEPDCL Vs M/s. Vijayeebhava Enterprises Pvt Ltd & 43 others

Petition filed under Regulation 55 (2) & (3) of APERC (Conduct of Business) Regulation, 1999 to amend tariff orders in respect of wind power projects to be in compliance with Regulation 20 of Regulation No.1 of 2015.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri K. Gopal Choudary, learned counsel representing (i) M/s. Ostro Anantapur Pvt. Ltd. (ii) M/s. Orange Uravakonda Wind Power Pvt. Ltd. (iii) M/s. ZR Renewable Energy Pvt. Ltd. (iv) M/s. Tata Power Renewable Energy Limited (v) M/s. Mytrah Vayu (Tungabhadra) Pvt. Ltd. (vi) M/s. Vayu Ujra Bharat Pvt. Ltd. (vii) M/s. Ostro AP Wind Pvt. Ltd. & (viii) M/s. Ostro Andhra Wind Pvt. Ltd., Sri Challa Gunaranjan, learned counsel representing (i) M/s. Rayala Wind Power Company (ii) M/s. Sunwin Power tech India (P) Ltd. (iii) M/s. Vibrant Green tech India Ltd., (iv) M/s. Orange Anantapur Wind Power Pvt. Limited (v) M/s. Sandla Wind Power Project Limited (vi) M/s. Jed Solar Parks Pvt. Ltd. (vii) M/s. Poly Solar Parks Pvt. Ltd. (viii) M/s. Hetero Wind Power (Pennar) Pvt. Ltd. (ix) M/s. Ostro Anantapur Pvt. Ltd. (x) M/s. Orange Uravakonda Wind Power Pvt. Ltd. (xi) M/s. ZR Renewable Energy Pvt. Ltd. (xii) M/s. Renew Wind Energy Pvt. Ltd. (xiii) M/s. Tata Power Renewable Energy Limited (xiv) M/s. Mytrah Vayu (Tungabhadra) Pvt. Ltd. (xv) M/s. Vayu Ujra Bharat Pvt. Ltd. (xvi) M/s. Ostro AP Wind Pvt. Ltd. (xvii) M/s. Ostro

Andhra Wind Pvt. Ltd., Ms. Puja Priyadarshini, learned counsel representing (i) M/s. Karam Chand Thapar & Bros Limited, (ii) M/s. KCT (20.4 MW) Renewable Energy Pvt. Ltd. & (iii) Indian Wind Power Association (IWPA) – AP State Council, Sri Hemant Sahai & Ms. Mazag Andrabi, learned counsel representing (i) M/s. Mythrah Vaayu (Indravathi) Pvt. Ltd. (ii) M/s. Orange Anantapur Wind Power Pvt. Limited, (iii) M/s. Hetero Wind Power (Pennar) Pvt. Ltd. (iv) M/s. Ostro Anantapur Pvt. Ltd. (v) M/s. Orange Uravakonda Wind Power Pvt. Ltd. (vi) M/s. Sterling Agro Industries Ltd., (vii) M/s. Renew Wind Energy Pvt. Ltd., (viii) M/s. Tata Power Renewable Energy Limited (ix) M/s. Mytrah Vayu (Tungabadra) Pvt. Ltd. (x) M/s. Vayu Ujra Bharat Pvt. Ltd. (xi) M/s. Ostro AP Wind Pvt. Ltd. (xii) M/s. Ostro Andhra Wind Pvt. Ltd. & (xiii) M/s. Hero Future Energies, Sri M. Venugopala Rao, Sr. Journalist & Convener, Centre for Power Studies and Sri Sunel Kapur representing Renew Power Ventures Pvt. Ltd., learned objectors are present.

Arguments of Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Ms. Puja Priyadarshini, Sri Hemant Sahai, Sri K. Gopal Choudary, learned counsel for respondents and Sri M. Venugopala Rao, learned objector are heard. No other respondents or objectors forwarded any arguments. For reply by Sri P. Shiva Rao, learned Standing Counsel for the petitioners at request posted to 29-07-2017. Respondents 2 and 32 have filed memos seeking certain reliefs, notices of which have to be served on the learned Standing Counsel for the petitioners.

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29-07-2017
at 11:00 AM

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Public hearing on Procurement of 400 MW Power from M/s. Simhapuri Energy Limited for a period of 12 years against 1000 MW Bids using imported coal from captive mines as fuel under long term by APSPDCL under DBFOO bidding - Approval for tariff adoption under Section 63 of the Electricity Act 2003.

Sri K. Gopal Choudary, learned counsel representing M/s. Simhapuri Energy Limited, Sri P. Shiva Rao, learned Standing Counsel representing APSPDCL, Sri Arjun, learned counsel representing M/s. Meenakshi Energy Ltd., (implead petitioner), Sri M. Venugopala Rao, Senior Journalist & Convener, Centre for Power Studies, Sri R. Shiv Kumar representing A.P. Spinning Mills Association, learned objectors are present.

Sri Arjun, learned counsel for M/s. Meenakshi Energy Ltd., submitted that W.A.No.835 of 2017 filed by them came up for hearing on 12-07-2017 and the matter is posted for hearing to 20-07-2017 and requested for this matter being posted beyond that date. Hence, the matter is posted to 29-07-2017. Sri R. Shiv Kumar on behalf of A.P. Spilling Mills Association filed a statement of objections, copies of which are served on the parties.

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

Sri Rahul Pandey, representing the petitioner filed rejoinder on behalf of the petitioner.

For hearing, the matter is posted to 26-08-2017.

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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 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 19-08-2017.

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

At request of Sri P. Shiva Rao, learned Standing Counsel for the respondents, the matter is posted to 19-08-2017.

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O.P. No. 32 of 2017
Sri Puchchakayala Venkata Reddy Vs APTRANSCO & 3 others

Petition seeking compensation for violation of Andhra Pradesh Works of Licensee Rules, 2007 Rule 13 (1) & (2)

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

Counter filed on behalf of respondents 1 to 3. For rejoinder, if any and for hearing, the matter is posted to 05-08-2017.

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at 11:00 AM

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O.P. No. 33 of 2017
M/s. NSL Sugars Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri Challa Gunaranjan, learned counsel 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 1 to 4 sought for time for filing counter. Hence, the matter is posted to 19-08-2017.

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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 K. Vijaya Kumar, learned counsel representing Sri K. Venkata Ranga Das, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri K. Vijaya Kumar, learned counsel representing Sri K. Venkata Ranga Das, learned counsel for the petitioner sought for time. Hence, the matter is posted to 26-08-2017.

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at 11:00 AM

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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 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 stated that there is no rejoinder. For hearing, the matter is posted to 26-08-2017.

Call on: 26-08-2017
at 11:00 AM

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O.P. No. 28 of 2017

APSPDCL & APEPDCL Vs M/s. Konaseema Gas Power Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 444.08 MW project at Devarapalli (V), Ravulapalem (M), East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri A. Venkata Ramana representing Konaseema Gas Power Ltd., are present.

At request of the learned counsel for the respondents, time extended for counter till 29-07-2017.

Call on: 29-07-2017
at 11:00 AM

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O.P. No. 29 of 2017
APSPDCL & APEPDCL Vs M/s. GVK Gautami Power Pvt. Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 464 MW project at Peddapuram, East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri T.V. Bhaskar, learned counsel representing GVK Gautami Power Pvt. Ltd., are present.

At request of the learned counsel for the respondents, time extended for counter till 29-07-2017.

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O.P. No.30 of 2017

APSPDCL & APEPDCL Vs M/s. GMR Vemagiri Power Generation Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 370 MW project at Vemagiri (V), Kadium (M), East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri K. Siddharth Rao, representing GMR Vemagiri Power Generation Ltd., are present.

At request of the learned counsel for the respondents, time extended for counter till 29-07-2017.

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O.P.No.31 of 2017
APSPDCL & APEPDCL Vs M/s. GVK Industries Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 220 MW project at Jegurupadu, East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri T.V. Bhaskar, learned counsel representing GVK Industries Ltd., are present.

At request of the learned counsel for the respondents, time extended for counter till 29-07-2017.

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at 11:00 AM

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

Learned counsel for the petitioner endorsed on the petition that the petition is not pressed for the claim of interest but this should not be treated as a precedent. The entire principal amount including the security deposit has already been paid. As the claim for interest is not pressed by the petitioner and as the remaining claim has already

been satisfied, the petition is closed. No costs. However, this order shall not be treated as a precedent in respect of the parties or in respect of any others in the event of any similar or identical claim coming up later.

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E.P. No. 1 of 2017 in Appeal No. 228 of 2012 (Before the Hon'ble ATE)

M/s. SNJ Sugars and Products Ltd Vs APTRANSCO & 3 others

Petition filed by M/s. SNJ Sugars and Products Ltd u/s 120 (3) of the Electricity Act, 2003 for execution of the Hon'ble Appellate Tribunal for Electricity (ATE) judgment and order dt. 04-02-2013 was disposed by ATE, vide its order dt.31-05-2017 passed in E.P. No. 1 of 2017 in Appeal No. 228 of 2012. While disposing the execution petition, the ATE remanded the matter to the Commission only for the purpose of calculating the amount due to the petitioner as per the judgment of the ATE dt.04-02-2013, which exercise shall be completed after hearing the parties within a period of two months from the date of receipt of the said order

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

The statement of the calculations of the respondents is filed. Sri M.S. Prasad, learned counsel for the petitioner sought for time for filing a response to the calculations. Hence, the matter is posted for response of the petitioner and for hearing to 29-07-2017.

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29-07-2017
at 11:00 AM

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Public hearing on Power cost reimbursement to Ferro Alloy Industry – Non-compliance of Commission's Directions

Sri V. Radha Krishna, Deputy Secretary to Government, Industries & Commerce Department on behalf of Sri Solomon Arokia Raj, IAS, Secretary to Government of Andhra Pradesh, Industries & Commerce Department is present.

Sri V. Radha Krishna, Deputy Secretary to Government, Industries & Commerce Department is present and submitted that the bills have already been submitted to the Pay & Accounts Office and are under process and sought for two weeks time for making payment. Hence, the matter is posted as a last chance to 29-07-2017 either for payment or for next step. The officer is informed.

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29-07-2017
at 11:00 AM

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I.A. No. 7 of 2017 in O.P. Nos.1 & 2 of 2013
M/s. Andhra Pradesh Ferro Alloys Producers Association & 12 others Vs APEPDCL & APSPDCL

Petition 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 2014-15 for the Category of HT-1 (b) consumers

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

At request of Sri P. Shiva Rao, learned Standing Counsel for the respondents, time extended for filing counter finally till 29-07-2017.

Call on:

29-07-2017
at 11:00 AM

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

Learned counsel for the petitioner endorsed on the petition that the petition is not pressed for the claim of interest but this should not be treated as a precedent. The entire principal amount including the security deposit has already been paid. As the claim for interest is not pressed by the petitioner and as the remaining claim has already been satisfied, the petition is closed. No costs. However, this order shall not be treated as a precedent in respect of the parties or in respect of any others in the event of any similar or identical claim coming up later.

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O.P. No. 34 of 2017

M/s. NSL Sugars (Tungabhadra) Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri Challa Gunaranjan and Sri T. Vizhay Babu, learned counsel 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 1 to 4 sought for time for filing counter. Hence, the matter is posted to 19-08-2017.

Call on: 22-07-2017
at 11:00 AM

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Public hearing 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 Bhaskar Reddy representing APGPCL (Indus Law Firm), Sri Challa Gunaranjan, learned counsel representing (i) Super Spinning Mills Ltd., (ii) Sri Satyanarayana Spinning Mills Ltd. (iii) Sree Akkamamba Textiles Ltd (iv) India Cements Ltd., Sri K. Gopal Choudary, learned counsel representing (i) International Paper APPM Ltd. (ii) The Andhra Sugars Ltd (iii) The Andhra Petrochemicals Ltd (iv) Hindustan Zinc Ltd (Vedanta) (v) Precot Meridian Ltd. (vi) LG Polymers India Pvt. Ltd. (vii) Sri Dhanalakshmi Cotton & Rice Mills Pvt. Ltd., learned objectors are present.

As the Commission is engaged in hearing the O.P.No.1 of 2017, the matter is adjourned to 19-08-2017.

Call on: 19-08-2017
at 11:00 AM

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