

Record of proceedings dated 29-07-2017

I.A.No.10 of 2017 in O.P.Nos.28 & 29 of 2016
APSPDCL & APEPDCL Vs ---

Public hearing in the matter of petition filed by APDISCOMs seeking approval of the Commission for now proposed methodology for procurement of power and to make the power purchase payments and merit order dispatch for FY 2017-18.

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri M. Venugopala Rao, Sr. Journalist & Convenor, Centre for Power Studies and Sri Sridhar Prabhu, learned counsel representing Hinduja National Power Corporation Ltd., are present.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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

Sri Sridhar Prabhu, learned counsel representing Hinduja National Power Corporation Ltd., Sri M. Venugopala Rao, Sr. Journalist & Convenor, Centre for Power Studies, Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel representing Executive Director, AP Transco and Sri Vivek Sharma, Senior Director, CRISIL Risk & Infrastructure Solutions Ltd., learned objectors are present.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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

Public hearing on the 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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri Apoorva Misra, learned counsel representing M/s. Karam Chand Thapar & Bros Limited & M/s. KCT (20.4 MW) Renewable Energy Pvt. Ltd., and Sri G. Ravindranath, Project Manager of M/s. Sterling Agro Industries Ltd., for the respondents and Sri V. Sailendra, Coordinator representing Indian Wind Power Association (IWPA) – AP State Council, Sri M. Venugopala Rao, Sr. Journalist & Convener, Centre for Power Studies and Sri Apoorva Misra, learned counsel representing Indian Wind Power Association, A.P. Council, learned objectors are present.

The matter is adjourned for want of quorum to 19-08-2017.

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

Sd/-
MEMBER / PR

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 B. Raveendranath Reddy, AGM-Legal representing M/s. Simhapuri Energy Limited, Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for APSPDCL, Sri I.V. Siddhivardhana, learned counsel representing M/s. Meenakshi Energy Ltd., (implead petitioner) and Sri M. Venugopala Rao, Senior Journalist & Convener, Centre for Power Studies, learned objector are present.

The matter is adjourned for want of quorum to 05-08-2017.

Call on: 05-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

Jurisdictional Batch (37 matters)

O.P.Nos.12 of 2008; 19 of 2009; 33 of 2009; 42 of 2009 & I.A. No. 4 of 2010; 57 of 2011; 70 of 2012; 71 of 2012; 72 of 2012; 79 of 2012; 85 of 2012; 8 of 2013 & I.A.No.1 of 2013; 9 of 2013 & I.A.No.2 of 2013; 12 of 2013; 23 of 2013; 24 of 2013 & I.A.No.14 of 2013; OP (SR) No.25 of 2013 & IA (SR) No.80 of 2013; 51 of 2013; 58 of 2013 & I.A.No.31 of 2013; 60 of 2013 & I.A.No.37 of 2013; 1 of 2014; 2 of 2014; 10 of 2014; 12 of 2014 & I.A.No.3 of 2014; 13 of 2014; 14 of 2014; 15 of 2014; 20 of 2014; 34 of 2014; 37 of 2014 & I.A.No.9 of 2014; 38 of 2014; 40 of 2014; 46 of 2014; 56 of 2014, R.P.No.1 of 2014 in O.P. No. 44 of 2013; 10 of 2015; 60 of 2012 and 12 of 2016.

GVK Industries Ltd Vs. DISCOMs and 36 matters

In view of the letter received from the learned Standing Counsel of the Commission dated 20-07-2017 stating that the counsel for the petitioners made a mention before the Division Bench consisting of the Acting Chief Justice and the Hon'ble Justice Smt. T. Rajani on 19-07-2017 with a request to take up the matters for hearing and bench was pleased to direct the matters to be listed on 02-08-2017. The matters are still pending before the Hon'ble High Court. In the light of the directions of the Hon'ble High Court, all the 37 matters relating to jurisdiction are posted to 26-08-2017.

In O.P.Nos.13 of 2014 (Respondents) and 14 of 2014 (Petitioners) filed a letter dated 26-07-2017 requesting for short adjournment either to 05-08-2017 or any date convenient to the Hon'ble Commission.

Sri P. Vikram, learned Standing Counsel for the Respondent No. 1 (Reliance Infrastructure Ltd) in O.P. No. 6 of 2017 filed by APDISCOMs submitted that the question of jurisdiction which is under consideration of the Hon'ble High Court is involved in this matter also and hence, this matter may also be posted along with the batch of jurisdiction matters.

The matters are adjourned for want of quorum to 26-08-2017.

Call on:

26-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

O.P. No. 8 of 2017
M/s. SEI Arushi Pvt. LtdPvt. 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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

O.P. No. 16 of 2017
M/s. WAANEEL 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.WAANEEL / D.No.556 /16 dt.20-09-2016 and for other reliefs

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

The matter is adjourned for want of quorum to to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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. Vikram, learned counsel for M/s. Reliance Infrastructure Ltd., and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners are present.

Sri P. Vikram, learned Standing Counsel for the Respondent No. 1 (Reliance Infrastructure Ltd) in O.P. No. 6 of 2017 filed by APDISCOMs submitted that the question of jurisdiction which is under consideration of the Hon'ble High Court is involved in this matter also and hence, this matter may also be posted along with the batch of jurisdiction matters. Hence, the matter is posted to 26-08-2017 along with the batch of jurisdictional matters

The matters are adjourned for want of quorum to 26-08-2017.

Call on:

26-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri A. Venkata Ramana, representing Konaseema Gas Power Ltd., (1st respondent) are present.

Sri A. Venkata Ramana, representing Konaseema Gas Power Ltd., (1st respondent) sought for time for filing counter.

The matter is adjourned for want of quorum to 26-08-2017.

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

Sd/-
MEMBER / PR

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri T. Uma Shankar, learned counsel for GVK Gautami Power Pvt. Ltd., (1st respondent) are present.

Counter filed. Counsel for the petitioners sought for time for filing rejoinder.

The matter is adjourned for want of quorum to 26-08-2017.

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

Sd/-
MEMBER / PR

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri Siva Darshan, learned counsel

representing Sri Kaustubh Mishra, learned counsel for GMR Vemagiri Power Generation Ltd., (1st respondent) are present.

Counsel for the 1st respondent sought for time for filing counter.

The matter is adjourned for want of quorum to 26-08-2017.

Call on:

26-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri T. Uma Shankar, learned counsel for GVK Industries Ltd., (1st respondent) are present.

Counter filed. Counsel for the petitioners sought for time for filing rejoinder.

The matter is adjourned for want of quorum to 26-08-2017.

Call on:

26-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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 T. Vizhay Babu, learned counsel for M/s. SNJ Sugars and Products Ltd., and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The matter is adjourned for want of quorum to 05-08-2017.

Call on:

05-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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

No representation on behalf of the Secretary, Industries & Commerce Department, Government of Andhra Pradesh.

The matter is adjourned for want of quorum to 05-08-2017.

Call on:

05-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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 G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents is present.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

O.P. No.36 of 2017

M/s. Orange Uravakonda Wind Power Pvt. Ltd Vs APSPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w Article 10.4 of the Power Purchase Agreement dated 31-05-2016 entered between the parties in relation to non-acceptance of monthly invoices and non-payment for supply of electricity from 100.8 MW capacity wind power project of the petitioner at Belugappa in Anantapur District

Sri Satya Siva Darshan and Sri Avijeet Lala, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Counsel for the respondent sought for time for filing counter.

The matter is adjourned for want of quorum to 05-08-2017.

Call on:

05-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

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 K.P. Vinu, Liasion Officer of the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

O.P. No. 21 of 2017

M/s. Orange Uravakonda Wind Power Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Letter of Credit and payment of amounts deducted towards 2% rebate from monthly power bills; for payment of interest on delayed payment in terms PPAs

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

Counsel for the respondents sought for further time filing counter.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR

O.P. No. 22 of 2017

M/s. Khandke Wind Energy Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to pay amounts wrongfully deducted towards rebate from monthly power bills; for payment of interest on delayed payment in terms PPAs., and to open Irrevocable Letter of Credit

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

Counsel for the respondents sought for further time filing counter.

The matter is adjourned for want of quorum to 19-08-2017.

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

Sd/-
MEMBER / PR

O.P. No. 23 of 2017

M/s. Orange Anantapur Wind Power Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Letter of Credit; for payment of amounts deducted towards 2% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Counsel for the respondents sought for further time filing counter.

The matter is adjourned for want of quorum to 19-08-2017.

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

Sd/-
MEMBER / PR

O.P. No. 24 of 2017
M/s. Tadas Wind Energy Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to pay amounts wrongfully deducted towards rebate from monthly power bills; for payment of interest on delayed payment in terms PPAs., and to open Irrevocable Letter of Credit

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

Counsel for the respondents sought for further time filing counter.

The matter is adjourned for want of quorum to 19-08-2017.

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

Sd/-
MEMBER / PR

O.P. No. 25 of 2017
M/s. Mytrah Vayu (Pennar) Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Letter of Credit; payment of amounts deducted towards 1% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Counsel for the respondents sought for further time filing counter.

The matter is adjourned for want of quorum to 19-08-2017.

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

Sd/-
MEMBER / PR

O.P. No. 26 of 2017
M/s. Mytrah Vayu (Krishna) Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Letter of Credit; payment of amounts deducted towards 1% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Counsel for the respondents sought for further time filing counter.

The matter is adjourned for want of quorum to 19-08-2017.

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

Sd/-
MEMBER / PR

O.P. No. 27 of 2017
M/s. Mytrah Vayu (Indravati) Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Letter of Credit; payment of amounts deducted towards 2% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Counsel for the respondents sought for further time filing counter.

The matter is adjourned for want of quorum to 19-08-2017.

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

Sd/-
MEMBER / PR

O.P. No. 35 of 2017

M/s. Jindal Aluminium Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 requesting the Commission for direction to the respondents to open Irrevocable Letter of Credit; payment of amounts deducted towards 1% rebate from monthly power bills and for payment of interest on delayed payment in terms PPAs

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

Counsel for the respondents sought for further time filing counter.

The matter is adjourned for want of quorum to 19-08-2017.

Call on:

19-08-2017
at 11:00 AM

Sd/-
MEMBER / PR