



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

#11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Khairatabad
Hyderabad 500 004 Phones: 23397 - 381, 399, 556, 656 Fax: 2339 7378

Suo motu review of order dated 27-08-2021 in O.P. Nos. 34 and 41 of 2020

In Re: Distribution business true up for the 3rd Control Period (FY 2014-15 to 2018-19) in respect of APSPDCL and APEPDCL

O.P.Nos.34 & 41 of 2020

APSPDCL and APEPDCL have filed O.P. Nos. 34 and 41 of 2020 under Clauses 10 and 19 of APERC (Terms and Conditions for Determination of Tariff for Wheeling and Retail Sale of Electricity) Regulation (Regulation No.4 of 2005) for passing distribution true-up orders for the 3rd Control Period (FY 2014-15 to 2018-19). The Commission accordingly passed orders dated 27-08-2021 in the said O.Ps. Before commencement of hearings on the Petitions, the Commission has issued public notice through its official website. However, a few consumers have assailed the validity of the True-up orders before the Hon'ble High Court of A.P. inter alia on the ground that the Commission has not issued notice through publication in newspapers as envisaged under Clause 13(5) of the A.P. Electricity Regulatory Commission (Conduct of Business) Regulation 1999. In the said context, the Commission has exercised its power of suo motu review as envisaged under Section 94(1)(f) of the Electricity Act 2003 r/w. Clause 49(1) of the APERC (Conduct of Business) Regulation 1999. On the directions by the Commission, its Secretary contacted the learned Advocate General of Andhra Pradesh in order to ascertain whether the DISCOMs whom he has represented before the High Court in the Writ Petitions, have any objections for recalling the order dated 27-08-2021 passed in the O.Ps. On instructions, the learned Advocate General has sent an e-mail to the

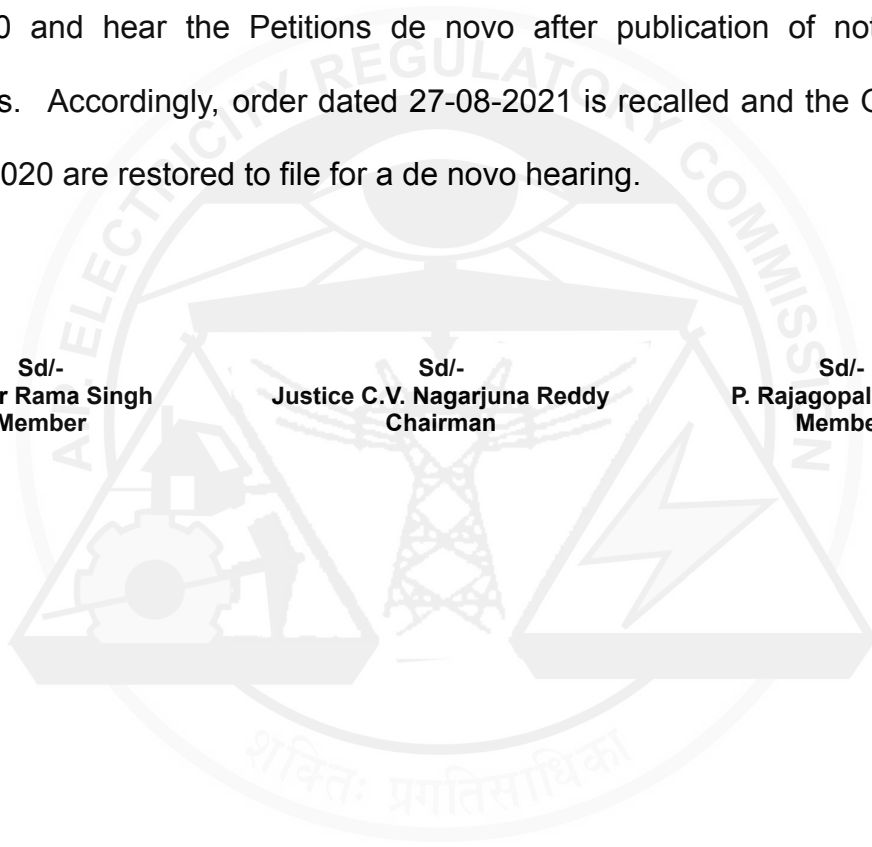
Commission Secretary to the effect that the DISCOMs have no objection to this Commission suo motu recalling the order and rehearing the matters after publication of the same as per the extant Regulations.

To redress the grievances of the consumers and to put at rest the controversy on the aspect of correctness or otherwise of the procedure followed by it, the Commission has decided to recall the order dated 27-08-2021 in O.P. Nos. 34 and 41 of 2020 and hear the Petitions de novo after publication of notices in the newspapers. Accordingly, order dated 27-08-2021 is recalled and the O.P. Nos. 34 and 41 of 2020 are restored to file for a de novo hearing.

**Sd/-
Thakur Rama Singh
Member**

**Sd/-
Justice C.V. Nagarjuna Reddy
Chairman**

**Sd/-
P. Rajagopal Reddy
Member**





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Corrigendum to Suo motu recalling of order dated 27-08-2021 in O.P. Nos. 34 and 41 of 2020

The above order was passed by the Commission on 06-10-2021 and the said date shall stand incorporated in the order.

This corrigendum is signed on 08-10-2021.

Sd/-
Thakur Rama Singh
Member

Sd/-
Justice C.V. Nagarjuna Reddy
Chairman

Sd/-
P. Rajagopal Reddy
Member

