

Dear Sir,

Warm Greetings!

This is with reference to public notice issued by Andhra Pradesh Electricity Regulatory Commission (APERC) on dated 13th Feb 2020, seeking suggestions and objections on APSLDC detailed report consisting amendment to (APERC Forecasting, Scheduling and Deviation Settlement of Solar and Wind Generation Regulation, 2017).

Please find attached herewith our letters on behalf of Vayu Urja Bharat Pvt. Ltd (Wind Project capacity: 120 MW) and Waaneep Solar Private Ltd (cumulative solar capacity 50 MW; 25 MW each at Gurramkonda and Nagari) in response to the above said public notice.

We look forward to the Hon'ble Commission considering our request in the right earnest and convey its decision timely preferably by today evening.

Thanks and Regards,

RANJEET SINGH

Senior Manager – Regulatory Affairs & Power Sales

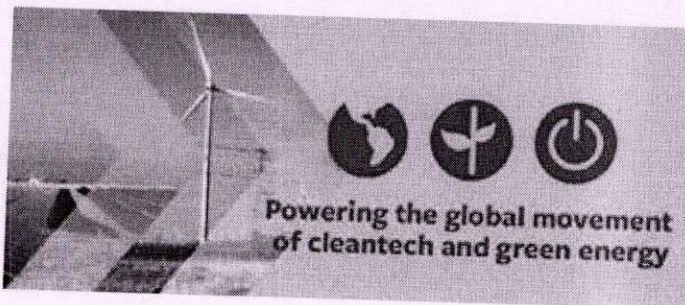
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9/3/2020

[WITHOUT PREJUDICE]

Ref No: HFE/VUBPL/RAPS/KK/APERC/SEC/FY20/003

9th March 2020

To,
The Hon'ble Andhra Pradesh Electricity Regulatory Commission,
11-4-660, 4th Floor, Singreni Bhavan, Red Hills,
Hyderabad- 500 004

Subject: Public notice dated 13.02.2020 regarding public hearing to be held on 10.03.2020 in respect of proposed amendment of Regulation 4 of 2017 i.e., APERC (Forecasting, Scheduling and Deviation Settlement of Solar and Wind Generation) Regulations, 2017 ("**Regulations**")

Ref.: 1. Our Letter bearing Ref No. HFE/VUBPL/RAPS/KK/APERC/SEC/FY20/001 dated 02.03.2020
2. Our Letter bearing Ref No. HFE/VUBPL/RAPS/KK/APERC/SEC/FY20/002 dated 04.03.2020

Kind Attn.: The Secretary, APERC

Dear Sir,

At the outset, we refer to our above referenced letter dated 02.03.2020, wherein we conveyed that some wind and solar power generators have filed writ petitions (i.e., W.P. No. 5706 of 2019, W.P. No. 15513 of 2019, and W.P. No. 13860 of 2019), before the Hon'ble High Court of Andhra Pradesh ("**High Court**") (pursuant to the order of the Hon'ble Supreme Court dated 26.04.2019 in CA No.4404 of 2019) challenging the legal and constitutional validity of the APERC (Forecasting, Scheduling and Deviation Settlement of Solar and Wind Generation) Regulation, 2017 i.e. Regulation No. 4 of 2017. We further stated in the aforesaid letter that the aforesaid writ petitions are pending adjudication before the Hon'ble High Court, which is seized of the matter. In the light of the above, we requested that the public notice issued by Hon'ble APERC for holding a public hearing on March 10, 2020, with regard to amendment of the said Regulation No. 4 of 2017, be kept in abeyance until the matter on the constitutional validity of the Regulations is finally decided by the Hon'ble High Court at Andhra Pradesh. However, we did not receive any response from this Hon'ble Commission.

Thereafter, on 04.03.2020, without prejudice to our aforesaid submissions that the hearing ought to be put in abeyance in light of the judicial propriety, we submitted our comments and inputs on the merits of Regulations and on the basis of the same, sought rejection of the so-called report itself based on which amendments are being sought by APSLDC.

At this stage, it is pertinent to highlight that in W.P. No. 13860 of 2019 and W.P. No. 15513 of 2019, inter applications have been filed by the relevant generators *inter alia* seeking the following reliefs:

- (i) stay of operation of the Public Notice dated 13.02.2020 issued by this Hon'ble Commission, to consider proposed amendments to the Regulations (i.e., I.A. No. _____)

VAYU URJA BHARAT PVT. LTD.

CIN: U40108TG2009PTC065290

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- of 2020 in W.P. No. 13860 of 2019 and I.A. No. 3 of 2020 in W.P. No. 15513 of 2019); and
- (ii) stay of operation of the Letter bearing no. CGM/HRD&Plg/SE/Plg/RAC&Reforms/APERC/D.No.121/2019 dated 10.12.2019 issued by the Transmission Corporation of Andhra Pradesh Ltd. ("APTRANSCO") (i.e., I.A. No. 3 of 2020 in W.P. No. 13860 of 2019 and I.A. No. 2 of 2020 in W.P. No. 15513 of 2019).

In this regard, please note that the aforesaid writ petitions along with the aforesaid applications, seeking primarily the stay of the public hearing listed on 10.03.2020 before this Hon'ble Commission were listed before the Division Bench Hon'ble High Court by the Chief Justice on 06.03.2020. Further, on the said date of hearing, the parties to the writ petitions advanced their arguments with respect to the reliefs sought vide the aforesaid applications. Thereafter, the Hon'ble High Court was pleased to reserve its order on the said applications.

However, considering that Monday, i.e., 09.03.2020, is a non-working day in the Hon'ble High Court on account of the festival of Holi, the Hon'ble High Court's order deciding the aforesaid applications is likely to be issued not before 10.03.2020 i.e., the day on which public hearing is scheduled before this Hon'ble Commission.

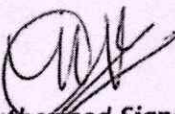
In light of the aforesaid facts and circumstances, and specifically keeping in view the tenets of judicial propriety, we humbly request that the public hearing scheduled on 10.03.2020 be adjourned and the public notice dated 13.02.2020 issued by this Hon'ble Commission be kept in abeyance, until the Hon'ble High Court issues its order deciding the I.A. No. 1 of 2020 and I.A. No. 3 of 2020 in W.P. No. 13860 of 2019 and I.A. No. 2 of 2020 and I.A. No. 3 of 2020 in W.P. No. 15513 of 2019. In fact, it would be appropriate to adjourn the hearing for four weeks for the sake of clarity on the issue.

We look forward to the Hon'ble Commission considering the present request in the right earnest and convey its decision timely preferably by today evening.

Thanking you,

Yours sincerely

For Vayu Urja Bharat Private Limited


(Authorised Signatory)

[WITHOUT PREJUDICE]

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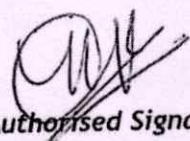
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For Vayu Urja Bharat Private Limited


(Authorised Signatory)

