

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th Floor, Singareni Bhavan, Red Hills, Hyderabad – 500 004

O.P.No. 49 of 2014 (AP)

Dated: 20-12-2014



Present
Justice Sri. G. Bhavani Prasad, Chairman

Global Energy Private Limited

..... Petitioner

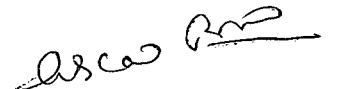
This petition is filed under Sub-Section (1) of Section 15 of the Electricity Act, 2003. This petition has come up for hearing on 12-12-2014 in the presence of Sri Ashish Singh, learned in-house counsel for the petitioner and Sri P. Shiva Rao, learned standing counsel of APEPDCL & APSPDCL, who was requested to assist the Commission in the matter and the Commission having considered the submissions and material available on record, passed the following:

ORDER

An application for grant of Intra State Electricity Trading licence to the applicant filed under the AP Electricity Regulatory Commission (Intra State Electricity Trading) Regulation 2005, Regulation 6 of 2005. The application filed in compliance with Appendix-2 of the above referred to Regulation has been found by the office of the Commission to be duly satisfying the requirements of the said Regulation in every aspect, including the necessary documents that have to accompany such an application.

2. As the petitioner was stated to be already having an Inter State Trading Licence from the Central Electricity Regulatory Commission and as rule 9 of the Electricity Rules 2005 specifies the absence of any need to take a separate licence for intra state trading from a state Commission for a person holding an inter state trading licence, the Central Electricity Regulatory Commission was addressed by this Commission on 01-08-2014 for a clarification on the issue of granting an

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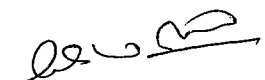


Intra State Trading Licence to an Inter State Licensee. The Central Commission was also requested to furnish any issue relating to the applicant with the Central Commission. In spite of this Commission awaiting for a response from the Central Commission for a considerable time, there was no response and hence the application was taken on file by this Commission on 06-09-2014.

3. The Applicant has filed copies of publication of notice of this application along with the particulars as mentioned in Appendix-1 of Regulation No.6 of 2005, published in Business Standard dated 20-06-2014 (a financial Newspaper in English) and Times of India dated 20-06-2014, apart from the publication in Andhra Jyothi and Andhra Bhoomi dated 22-06-2014 (Two telugu newspapers having wide circulation within the State). This Commission did not receive any objections to the grant of requested license to the Applicant in response to such publication within or after the prescribed time.

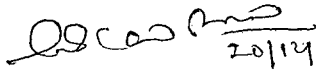
4. The written submission of the Applicant has invited attention to the absence of any prohibition or restrictions against grant of an intra state trading licence to an inter state trading licence holder with reference to the provisions of the Electricity Act, 2003 and the Electricity Rules, 2005 or Regulations made by this Commission. The Applicant has explained in the written submission that an intra state trading licence gives it a strong and credible local presence in such trading answering any apprehensions of any persons dealing with the applicant in the course of such trading. As there is no material on record to suspect the *bona fides* of the Applicant or the truth of the contents of the Applicant's pleadings or written submission and in the absence of any legal impediment, the request of the Applicant appears to deserve positive consideration. In addition to the oral submission of Sri Ashish Singh, in-house counsel of the applicant, Sri P. Shiva Rao, standing counsel of APEPDCL & APSPDCL who was requested to assist the Commission in the matter, also stated that there appears no objection for consideration of the request of the Applicant.

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5. Therefore, this Commission provisionally decided to grant such intra state trading licence to the Applicant subject to the general terms and conditions specified in Regulation No.6 of 2005 and Appendix-3 thereof and any specific terms and conditions that may be found necessary by the Office of this Commission on a thorough examination of the entire matter. As it has been so decided provisionally to grant an intra state trading licence to the Applicant, the Office of the Commission shall prepare a notice with the particulars and details as prescribed by Regulation 5.8 (3) of Regulation 6 of 2005 within a week from today and place on the website of this Commission seeking suggestions and objections from the public. The application will be heard on 31-01-2015 (Saturday) at 11 AM to consider all suggestions/objections that may be received in the meanwhile and for hearing those desiring to be heard in person, to enable this Commission to finally decide either to grant or refuse the license.

This order is corrected and signed on this 20th day of December, 2014



20/12/2014

(JUSTICE G. BHAVANI PRASAD)
CHAIRMAN