



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

4thFloor, Singareni Bhavan, Red Hills, Hyderabad 500004

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY ONE

:Present:

Justice C.V. Nagarjuna Reddy, Chairman
Sri P. Rajagopal Reddy, Member
Sri Thakur Rama Singh, Member

O.P.No.60 of 2019

Between :

Green Infra Wind Solutions Limited,
5th Floor, Tower C, Building No.8,
DLF Cybercity, Gurgaon,
Haryana-122002.

.. Petitioner

And

1. Andhra Pradesh Power Coordination Committee,
1st Floor, APPCC Building, Vidyut Soudha,
Near Eluru Road, Gunadala, Vijayawada-520004.

2. Southern Power Distribution Company of
Andhra Pradesh Limited, # 19-13-65/A,
Srinivasapuram, Tiruchanoor Road, Tirupati,
Chittoor District, A.P.-517503.

.. Respondents

This Original Petition has come up for hearing finally on 07-07-2021 in the presence of Sri. Rohit Venkat, Counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents and upon hearing the arguments of the learned Counsel for both the parties, the Commission passed the following :

ORDER:

This Original Petition is filed for the following substantive reliefs:

- (a) To direct APSPDCL/APPCC to release payments due to GIWSL set out in paragraph 3 of the petition which have been unlawfully withheld;
- (b) to direct APSPDCL to set up a payment security mechanism as required under the PPA;
- (c) to direct APSPDCL/APPCC to pay 75% of the outstanding amounts to GIWSL within one week, pending final adjudication.
- (d) to direct the respondents to pay carrying cost to the petitioner to be determined by the Commission.

We have heard Sri Rohit Venkat, learned Counsel for the petitioner and Sri P. Shiva Rao, learned Counsel for the respondents.

As regards prayers (a) and (c) which are substantive in nature, they have become infructuous in view of the payment made at the interim tariff fixed by the Hon'ble High Court in W.P.No.9844 of 2019.

It is not in dispute that the issue of review of the PPAs which is the subject matter of O.P.No.17 of 2019 is sub judice before a Division Bench of the Hon'ble High Court in a batch of Writ Appeals. In the said cases, interim order of stay of adjudication of O.P.No.17 of 2019 has been granted and the same is in force. In the light of these facts, it is not possible for the Commission to adjudicate the issues raised by the

petitioner at this stage as regards the PPA tariff. The prayers (b) and (d) being ancillary to the main prayers, the Commission is of the opinion that the same may be adjudicated at an appropriate time. Accordingly, the O.P. is disposed of without prejudice to the right of the petitioner to agitate the prayers made in (b) and (d) after disposal of the batch of Writ Appeals pending before the Hon'ble High Court.

**Sd/-
Thakur Rama Singh
Member**

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

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

