



## ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

4<sup>th</sup>Floor, Singareni Bhavan, Red Hills, Hyderabad 500004

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY ONE

:Present:

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

O.P.Nos.83 and 84 of 2021

O.P.No.83 of 2021

Between:

Blyth Wind Park Private Limited,  
Having its corporate office at  
1st Floor, No.11, Commissariat Road,  
Bangalore-560005.

... Petitioner

And

1. Andhra Pradesh Power Coordination Committee,  
Vidyut Soudha, Gunadala, Eluru Road, Vijayawada,  
A.P.-520004, represented by its Chief Engineer/IPC&PS
2. Southern Power Distribution Company of A.P. Limited,  
Having its registered office at 19-13-65/A,  
Srinivasapuram, Tiruchanoor Road, Tirupati,  
District Chittoor, Andhra Pradesh - 517503.
3. Transmission Corporation of Andhra Pradesh Limited,  
Having its registered office at Vidyut Soudha, Gunadala,  
Eluru Road, Vijayawada, Andhra Pradesh - 520004,  
Represented by its Chairman & Managing Director.
4. Andhra Pradesh State Load Despatch Centre,  
Through Transmission Corporation of A.P. Limited,  
Vidyut Soudha, Gunadala, Eluru Road, Vijayawada,  
Andhra Pradesh-520004, represented by its  
Chief Engineer, SLDC, Vijayawada

... Respondents

O.P.No.84 of 2021

Between:

Atria Wind Power Private Limited,  
Having its corporate office at 1st Floor,  
No.11, Commissariat Road,  
Bangalore-560025.

... Petitioner

And

1. Andhra Pradesh Power Coordination Committee,  
Vidyut Soudha, Gunadala, Eluru Road, Vijayawada,  
A.P.-520004, represented by its Chief Engineer/IPC&PS
  2. Southern Power Distribution Company of A.P. Limited,  
Having its registered office at 19-13-65/A,  
Srinivasapuram, Tiruchanoor Road, Tirupati,  
District Chittoor, Andhra Pradesh - 517503.
  3. Transmission Corporation of Andhra Pradesh Limited,  
Having its registered office at Vidyut Soudha, Gunadala,  
Eluru Road, Vijayawada, Andhra Pradesh - 520004,  
Represented by its Chairman & Managing Director.
  4. Andhra Pradesh State Load Despatch Centre,  
Through Transmission Corporation of A.P. Limited,  
Vidyut Soudha, Gunadala, Eluru Road, Vijayawada,  
Andhra Pradesh-520004, represented by its  
Chief Engineer, SLDC, Vijayawada
- .....Respondents

These two Original Petitions having come up for hearing today in the presence of Ms. Mazag Andrabi, learned Counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents, and upon hearing the arguments of both the Counsel, the Commission passed the following :

**COMMON ORDER:**

These two Original Petitions raise common grievance, namely, that the respondents have not been making payment for the unutilized banked energy in respect of FY 2017-18, FY 2018-19 and 2019-20. The respondents have filed

counters wherein they have admitted their liability but they have only pleaded their poor financial position as the reason for non-payment. The respondents sought for four half yearly instalments to make payment. The petitioners filed rejoinders wherein they made an alternative offer of being permitted to utilize the unutilized banked energy in the next six months' time if the respondents are not in a position to make payment for the value of the unutilized banked energy.

After hearing Ms.Mazag Andrabi, learned Counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents, we are of the opinion that there is no justification for the respondents for not making payment of the admitted dues. In the light of the plea of the respondents that they are in a poor financial position, they are provided with the option either to make payment within two months or permit the petitioners to avail the unutilized banked energy within the next six months on the expiry of two months' time in the event of non-payment.

Subject to the above directions, the Original Petitions are disposed of.

Sd/-  
**Thakur Rama Singh**  
Member

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

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

शक्तिः प्रगतिसाधिका