
like WhatsApp, etc. (a large number of people have already been using the social media apps extensively), whenever any new content is posted on the Commission's website. While dispensing with the publication in the newspapers will encourage the consumers to access the website of APERC, publication of notices in the newspapers imposes heavy financial burden on the DISCOMs which is ultimately passed on to the consumers. At any rate, the Commission is not totally dispensing with the publication of notices in newspapers and instead, it is restricting publication to certain situations where the Commission deems such publication as necessary. Hence, no public interest suffers due to the proposed amendment.

- D. While there can be no dispute on the need to issue notices to the aggrieved persons as held by the Hon'ble Apex Court and the Hon'ble High Courts, the Electricity Act, 2003 vested discretion in the Commission to choose the method of issuing notices except in respect of the proceedings falling under section 62 of the Act. Further, the Commission is providing a minimum time of 15 days to elicit views from the public and stakeholders on matters affecting them, thereby giving them sufficient time to study, frame, and file objections/suggestions/comments.
- E. As regards the practice of CERC to publish the notices in the newspapers, it may be noted that the same is one of the options only and CERC can serve the notices in any other manner as considered appropriate by it as per clause 42(1)(e) of the CERC Conduct of Business Regulations. Further, from the information gathered from CERC, it is learnt that only in respect of the petitions filed before CERC for fixation of tariff, notices are being published in newspapers, and in respect of all other matters, the mode of service is

through the web. As regards the contention of the objectors that other State ERCs provide for the publication of notices in the newspapers, each Regulatory Commission being an independent body, is entitled to take its own views having regard to the circumstances prevailing in its jurisdictional State.

F. As regards the amendments proposed in the draft at entries (vi) to (viii) of clause 13(1), on a careful consideration, the Commission feels that they require to be modified in order to vest wider discretionary powers in the Commission to order publication in newspapers wherever it deems fit even in matters which do not fall under 64(2) of the Electricity Act, 2003. Therefore, accordingly, entries (vi) and (vii) are modified and entry (viii) is deleted as indicated infra.

G. Further, on a re-examination of the draft amendment, the Commission feels that the mode of service mentioned against entry(iii), i.e. by telegraphic message, has outlived its purpose after the stoppage of the telegraph service by the postal department in July 2013. Hence, this entry is deleted in the approved amendment.

H. With the deletion of entries (iii) & (viii), under clause 13(1), entries (iv), (v), (vi), & (vii) are renumbered as (iii), (iv), (v), & (vi) respectively.

I. In the result, the following entries shall substitute the existing entries under clause 13(1) of Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999.

“ (i) by hand delivery on the person through a messenger and obtaining signed acknowledgment;

(ii) by registered/speed post with acknowledgement due;

(iii) by fax;

(iv) by email;

(v) by publication in Commission's website;

(vi) by publication in newspapers, in such matters as the Commission deems fit."

Sd/-
Thakur Rama Singh
Member

Sd/-
Justice C.V. Nagarjuna Reddy
Chairman

Sd/-
P. Rajagopal Reddy
Member



ANNEXURE

List of objectors

S.No.	Name of the Objector
1	Sri S. Surya Prakasa Rao
2	. Andhra Pradesh Textile Mills Association
3	Andhra Pradesh Chambers of Commerce & Industry Federation
4	Andhra Pradesh Ferro Alloys Producers Association
5	Federation of Andhra Pradesh Chambers of Commerce and Industry (FAPCCI)
6	South Indian Cement Manufacturers Association

