



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

4thFloor, Singareni Bhavan, Red Hills, Hyderabad 500004

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

:Present:

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

O.P.No. 92 of 2021

Between :

M/s. Sree Venkata Sreedevi Power LLP
Registered office at:3-1-591, Lakshmipuram,
Stonehouse pet, Nellore - 524002. AP
Having its Plant at:Surayapalem Village,
Podalkuru Mandal,SPSR Nellore District, Andhra Pradesh.

..... Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
#19-13-65/A, Srinivasapuram, Tiruchanoor Road,
Tirupati, Chittoor District, Andhra Pradesh-517503.2.
2. Andhra Pradesh Power Coordination Committee,
Vidyut Soudha, Gunadala, Eluru Road,
Vijayawada, Andhra Pradesh-520004

..... Respondents

This O.P. has come up for hearing today in the presence of Sri Deepak Chowdhary representing Sri. Challa Gunaranjan, counsel for the petitioner and Sri P.

Shiva Rao, learned Standing Counsel for the Respondents and upon hearing the arguments of the learned Counsel, the Commission passed the following :

ORDER:

This OP is filed seeking payment of Late Payment Surcharge (LPS) on the delayed payment of admitted power supply charges. The period for which the claim is made is from April 2016 to November 2020. Sri P. Shiva Rao, learned Standing Counsel for the respondents has not disputed that the LPS is liable to be paid at the percentage as claimed by the petitioners under the PPA. However, he has pointed out that a part of the claim is barred by limitation. Sri. Deepak Chowdhary, counsel for the petitioner fairly admitted that the claim upto March 2018 is barred by limitation. As there is neither a dispute on the late payment of the principal money by respondents nor the petitioner's entitlement to recover the LPS under extant PPA, the petitioner is entitled to the relief claimed in the OP. However, as fairly admitted by the learned counsel for the petitioner, the claim upto March 2018 is barred by limitation. The respondents are accordingly liable to pay LPS from April 2018 till the filing of the OP. The respondents are accordingly directed to quantify and pay the amount towards LPS for the aforementioned period within three months from today. The OP is allowed to the extent indicated above.

Sd/-
Thakur Rama Singh
Member

Sd/-
Justice C.V. Nagarjuna Reddy
Chairman

Sd/-
P. Rajagopal Reddy
Member