



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

4thFloor, Singareni Bhavan, Red Hills, Hyderabad 500004

WEDNESDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

:Present:

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

O.P.No.14 of 2020

Between:

Vish Wind Infrastruktire LLP,
No.1102(2), 11th Floor, Fortune Terrace
New Link Road, Andheri (W), Mumbai,
Maharashtra-400053

.. Petitioner

And

1. Transmission Corporation of Andhra Pradesh Ltd.,
Vidyut Soudha, Hyderabad-500082.
2. Andhra Pradesh Power Coordination Committee,
Vidyut Soudha, Hyderabad-500082.
3. Southern Power Distribution Company of
Andhra Pradesh Ltd., (APSPDCL),
Tiruchanoor Road, Behind Srinivasa Kalyana
Mandapam, Kesavayani Gunta, Tirupathi,
Andhra Pradesh-517501

.. Respondents

This Original Petition having come up for hearing today in the presence of Sri Vishal Gupta, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents and upon hearing both the Counsel, the Commission passed the following :

ORDER:

This Original Petition is filed for the following substantive reliefs :

- (i) To direct the respondents to make the outstanding payments aggregating to Rs.19,28,02,208/- (Rupees nineteen crores twenty eight lakhs thousand two thousand two hundred and eight only) comprising of the principal outstanding amount of Rs.17,97,79,557/- (Rupees seventeen crores ninety seven lakhs seventy nine thousand five hundred and fifty seven only) towards the monthly bills issued by the petitioner for injecting the power generated from the project into the State Power Grid along with the delay surcharge amounting to Rs.1,30,22,651/- (Rupees one crore thirty lakhs twenty two thousand six hundred and fifty one only) calculated up till 25-12-2019; and
- (ii) to direct the respondents to open a revolving Letter of Credit for a minimum period of one year in favour of the petitioner in terms of Clause 5.3 of each of the three Power Purchase Agreements dated 11-10-2012.

At the hearing, Sri Vishal Gupta, learned Counsel for the petitioner submitted that the respondents have cleared the entire arrears which are subject matter of this O.P. and that as agreed earlier, the petitioner is not insisting on LPS. He however submitted that one of the reliefs claimed in this Petition, namely, a direction to the respondents to open revolving Letter of Credit may be left open for adjudication in appropriate proceedings in future.

In the light of the above, the Original Petition is disposed of as the O.P. has outlived its purpose, leaving the issue of opening of revolving Letter of Credit by the respondents to be raised by the petitioner open for adjudication in future.

Sd/-
Thakur Rama Singh
Member

Sd/-
Justice C.V. Nagarjuna Reddy
Chairman

Sd/-
P. Rajagopal Reddy
Member