



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Vidyut Niyantana Bhavan, Adjacent to 220/132/33/11 KV AP Carbides
Sub-Station, Dinnedevaram Road, Kurnool-518002, Andhra Pradesh

WEDNESDAY, THE TWENTY EIGHTH DAY OF AUGUST,
TWO THOUSAND AND TWENTY FOUR

:Present:

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

O.P.No. 30 of 2024

Between:

AZURE POWER INFRASTRUCTURE PRIVATE LIMITED
Through Assistant Vice President (Legal)
8th floor, DLF Infinity Towers, Tower A,
DLF Cyber Hub, DLF City Phase II,
Sector 27, Gurugram
Haryana - 122002

... Petitioner.

AND

Southern Power Distribution Company of Andhra Pradesh Ltd. (APSPDCL)
Rep. by its Chairman and Managing Director
19-13-65/A, Srinivasa Puram
Tiruchanoor Road, Tirupati - 517 503.

... Respondent-1

ANDHRA PRADESH POWER COORDINATION COMMITTEE

The Chief General Manager,
Power Purchases, APPCC 1st floor,
APPCC building, Vidyuth Soudha,
Gunadala Vijayawada, Andhra Pradesh-520004

... Respondent-2

This Original Petition has come up for hearing before us today in the presence of Sri Rahul Chauhan, Counsel representing Sri Shashwat Kumar, learned Counsel for the Petitioners; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents;

that after hearing the learned counsel for both parties, and that after carefully considering the material available on record the Commission passed the following:

ORDER

At the hearing, learned counsel for the Petitioner requested permission to withdraw the OP along with the IAs. A perusal of the records shows that on 10-07-2024, Ms. Shika Sood, learned counsel for the Petitioner submitted that her client is prepared to disconnect the extra DC panels of the capacity of 4.33 MW on that day itself and completely dismantle the additional DC panels as early possible not later than 30 days from that day and send an email to that effect on 10-07-2024 itself to the Respondents. Having considered the above submissions of the Learned Counsel for the Petitioner, this Commission has directed the Respondents not to terminate the PPA if they received such a letter giving undertaking to the above effect on 10-07-2024 itself. It was further directed that by the next date of hearing, the Petitioner shall report to the Commission on the dismantling of the additional DC panels. Today when the case is called, a copy of the minutes of the meeting between the Petitioner and the officials of APTRANSCO / APSPDCL held on 30-07-2024 has been filed. It is recorded in the minutes as under:

“Accordingly, the following Engineers inspected and found that,

*361 strings i.e. 7220 panels of each 315 watt peak amounting to 2.2743 MW
and 325 strings i.e. 6500 panels of 310 Watt peak amounting to 2.015MW,
Totalling to 4.2893 MW were removed at site and stacked separately.*

Further it is found that, 73 Nos. spare modules amounting to 22.63 kW and 78 Nos defective modules amounting to 24.2kW are kept aside.

Altogether modules worth 4.336MW were removed from service.

However, it is hereby instructed M/s Azure Power to remove the structures also and inform the same to M/s APTransco & APSPDCL authorities for further inspection”.

The learned counsel for the Petitioner submitted that, as instructed by the APTRANSCO / APSPDCL officials, the Petitioner has not removed the structures and completely dismantled the panels. At the hearing, learned counsel for the Petitioner requested permission to withdraw the OP and the IAs. In the light of above the OP and IAs are dismissed as withdrawn with liberty to the Respondents to take appropriate action if the DC panels are not dismantled.

Order pronounced on this the 28th day of August, 2024.

Sd/-
Thakur Rama Singh
Member

Sd/-
Justice C.V. Nagarjuna Reddy
Chairman