



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

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

WEDNESDAY, THE TWENTY FIFTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY FOUR

:Present:

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

O.P.No. 32,33,34,35 & 36 of 2024

OP No.32 of 2024

Between:

Aeolus Wind Parks Private Limited,
having its registered office at Plot No.1202, 1215A,
Door No. 8-2-293/82/A/1202, S.L.Jubilee.
Road No.61, Jubilee Hills, Hyderabad - 500033

... Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee, A.P. Transco,
Vidyut Soudha, Gunadala, Vijayawada-520004.

...Respondents

OP No.33 of 2024

Between:

Danu Wind Parks Private Limited,
having its registered office at Plot No.1202,1215A,
Door NO.8-2-293/82/A/1202, S.L.Jubilee,
Road No.61, Jubilee Hills, Hyderabad - 500033

... Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.

2. Andhra Pradesh Power Coordination Committee, A.P. Transco, Vidyut Soudha, Gunadala, Vijayawada-520004..

...Respondents

OP No.34 of 2024

Between:

Danu Wind Parks Private Limited,
having its registered office at Plot No.11202,1215A,
Door No.8-2-293/82/A/1202, S.L.Jubilee,
Road No.61, Jubilee Hills, Hyderabad 500033

...Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd., 19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee, A.P. Transco, Vidyut Soudha, Gunadala, Vijayawada-520004.

...Respondents

OP No.35 of 2024

Between:

Fujin Wind Parks Private Limited,
having its registered office at Plot No.1202,1215A,
Door NO.8-2-293/82/A/1202. S.L. jubilee.
Road No.61, Jubilee Hills, Hyderabad - 500033

..Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd., 19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee, A.P. Transco, Vidyut Soudha, Gunadala, Vijayawada-520004..

...Respondents

OP No.36 of 2024

Between:

Dindore Wind Parks Private Limited
having its registered office at Plot No. 1202,1215A,
Door NO.8-2-293/82/A/1202, S.L. Jibilee,
Road NO.61, Jubilee Hills, Hyderabad - 500033

..Petitioner

AND

1. Southern Power Distribution Company of Andhra Pradesh Ltd.,
19-13-65/A, Srinivasapuram, Tiruchanoor Road, Tirupati-517503.
2. Andhra Pradesh Power Coordination Committee, A.P. Transco,
Vidyut Soudha, Gunadala, Vijayawada-520004.

...Respondents

These original petitions have come up for hearing before us today in the presence of Sri Viswanath Challa, counsel representing Sri S.Vivek Chandrasekhar, learned Counsel for the Petitioners; and 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:

COMMON ORDER

These petitions have been filed with the grievance that despite the order dated 21-02-2024 passed by this Commission in O.P.No.4,5,6,7 & 8 of 2022, fixing schedule for payment of LPS, the Director/Finance, APTRANSCO & Member/APPCC vide order dated 15-04-2024 fixed his own schedule for payment in violation of the above mentioned Commission's order. This Commission has taken serious view of this conduct of the Member of APPCC and directed the personal appearance of the convenor APPCC along with Chief General Manager (Power Purchase) and the General Manager (Finance) today. At the hearing Sri P. Shiva Rao, learned standing counsel for the respondent submitted an affidavit of Smt Kirthi Chekuri, IAS, the Convenor of APPCC, wherein, she sought dispensing with her presence in view of a

personal inconvenience. She has however stated in the Affidavit that the letter dated 15-04-2024 was issued inadvertently without considering the schedule of payments ordered by this Commission and that having regard to the same they have withdrawn the said letter. The Deponent has reiterated her commitment to pay the dues as per this Commission's order and that efforts have been commenced towards that direction by paying Rs. 7.8 crores out of the total due of Rs. 18.44 Crores towards 50% of the LPS. The Affidavit is however silent on the payment of balance amount as per their calculations. The Chief General Manager (Power Purchases) and General Manager (Finance) are personally present. They have submitted that the APPCC will pay the balance amount within 30 days from today. This undertaking is accordingly recorded. The learned counsel for the petitioner submitted that as per their rough calculations, the Respondents have to pay about Rs. 21 Crores towards 50% of the LPS. As the variation in the calculations between the parties is not substantial and the Respondents having already withdrawn the impugned proceedings on realising the fact that they are bound to implement the order of this Commission and having also partly implemented the order, we feel that no purpose will be served by keeping these OPs pending. Accordingly, the OPs are disposed of with the following directions :

1. The Respondents shall furnish calculation statements to the Petitioners within one week from today and pay the balance out of Rs. 18.44 Crores within 30 days from today.

2. If the petitioners dispute the calculations made by the Respondents, they are permitted to make a representation within ten days from the date of receipt of calculations memo upon which the Respondent shall invite the Petitioner's representatives for reconciliation of the accounts within ten days of receipt of such representations. The balance amount, if any, payable consequent on such reconciliation, shall be paid within 30 days. If no consensus is reached in the reconciliation, the Petitioner shall be free to avail a fresh remedy before this Commission.
3. Since the Respondents have issued proceedings in violation of the order of this Commission, a token cost of Rs.10,000/- is awarded against them which shall be payable along with balance amount payable to the Petitioners.

Order pronounced on this the 25th day of September, 2024.

Sd/-
P.V.R.Reddy
Member

Sd/-
Justice C.V. Nagarjuna Reddy
Chairman

Sd/-
Thakur Rama Singh
Member