



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

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APERC -APERC Regulation No. 2 of 2005 and APERC Regulation No. 3 of 2024 –
Processing of short-term Open Access Applications by SLDC – Requirement of No
Dues Certificate from the concerned Distribution Licensee – Orders – Issued - Reg

Proceedings. No.05/2026/ Consultant/Tariff

Date:08-06-2026

Read the following:

Order

APEPDCL, through letter Lr.No.CMD/APEPDCL/VSP/CGM/RA&PP/ F.E-394939 /22/D.No.1-985753/26, dated 20 April 2026, has brought to the Commission's notice issues relating to the grant of Open Access, particularly cases where significant dues (about 850 crores) remain unpaid by certain consumers or generators. APEPDCL has also requested that the Commission issue appropriate instructions mandating a "No Dues Certificate" from the concerned Distribution Licensee when APSLDC processes Open Access applications.

The Commission has reviewed the matter in accordance with the provisions of the APERC (Terms and Conditions of Open Access) Regulation, 2005, and the APERC (Green Energy Open Access, Charges and Banking) Regulation, 2024.

The Commission notes that Clause 5.2 of the APERC (Terms and Conditions of Open Access) Regulation, 2005 provides that the State Load Dispatch Centre (SLDC), while processing Short-Term Open Access (STOA), shall allow such STOA only after consulting the concerned transmission and/or distribution licensee(s) whose network(s) would be used for such transactions. The Commission further notes that Annexure-I to APERC Regulation No. 2 of 2005 permits the Nodal Agency/Licensee to obtain "any other information reasonably required by the licensee/Nodal Agency" for processing Open Access applications.

In light of the above, the Commission is of the opinion that information concerning an applicant's dues status, including the existence of undisputed dues, pending cases related to unauthorised use or theft of electricity, and details of disputed claims, is pertinent to the processing of Open Access applications. This information falls within the

scope of the consultation process as outlined in Regulation 2 of 2005, as well as the phrase "any other information reasonably required by the licensee or Nodal Agency" specified in Annexure-I.

The Commission further notes that Clause 7 of the APERC (Green Energy Open Access, Charges and Banking) Regulation, 2024 explicitly states that such entities or generators, having been declared insolvent or bankrupt or having undisputed outstanding dues against them for more than two months billing of the distribution/transmission licensee or having a case of undisputed unauthorised use of electricity/theft of electricity pending against them at the time of application, shall not be eligible for open access.

In view of the foregoing, the Commission is of the view that permitting consumer (s)/generator (s) with substantial outstanding dues to use the transmission and distribution network, without appropriate consideration of such dues, may adversely affect the financial interests of the Distribution Licensees and ultimately burden the remaining consumers of the State. The Commission is therefore of the view that the applicant's dues position is a material factor to be considered while processing Open Access applications, and that the requirement of a No Dues Certificate is mandatory to safeguard the legitimate financial interests of the Distribution Licensees and the consumers at large.

Therefore, in exercise of the powers conferred under Clause 23 (Power to issue Orders or directions), Clause 24 (Power to Remove difficulties) of Regulation 2 of 2005, and Clause 19 (Power to issue Orders or directions) under Clause 21 (Power to Remove difficulties) of Regulation 3 of 2024, the Commission hereby issues the following orders:

1. While processing short-term open access by APSLDC from any consumer/generator, the **No Dues Certificate** from the concerned distribution licensee is mandatory in addition to the technical feasibility. The Distribution licensee shall furnish such a **No Dues Certificate** to SLDC within the timelines stipulated by APSLDC, to ensure compliance with the timelines for the grant of open access under the relevant regulations. If the Distribution licensee fails to furnish the **No Dues Certificate** as per the timelines stipulated by APSLDC, it shall be deemed that there are no dues.
2. Such entities or generators, having been declared insolvent or bankrupt or having undisputed (not restrained by any court/tribunal order) outstanding dues for more than two months to the distribution/transmission licensee or having a case of undisputed unauthorised use of electricity/theft of electricity pending against them at the time of application, shall not be eligible for open access. However,

where such outstanding dues are subject to any specific order, direction, interim order, or relief from a competent Court, Tribunal, or any judicial forum, the open access cannot be denied.

3. Further, nothing contained in these Orders shall affect the implementation of any specific order, direction, interim order or relief granted by a competent Court, Tribunal or other judicial forum in any individual case.

The aforementioned orders shall become effective immediately from the date of this Order.

(By order of the Hon'ble Commission)


Commission Secretary *i/c*

To

The Chairman & Managing Director, APEPDCL, Visakapatnam.

The Chairman & Managing Director, APCPDCL, Vijayawada.

The Chairman & Managing Director, APSPDCL, Tirupati.

The Chairman & Managing Director, APTRANSCO, Vijayawada.

Copy to

The Special Chief Secretary, Energy Department, GoAP,