

RECORD OF PROCEEDINGS DATED 02-11-2022

**OP No. 49 of 2022
Ponnaganti Kesava Ram & Ors.
Vs.
Collector, NTR District, CMD APTransco, CE APTRANSCO**

Petition filed under Electricity Act, 2003 Andhra Pradesh Works of Licence Rules, 2007, GO Ms. No. 24 dt 27-02-2007 to direct the respondent to fix RoW land damages compensation for @250%.

Sri. P.Chengal Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for respondents 2 and 3, are present at the hearing.

OP allowed (vide: separate order)

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

**OP No. 86 of 2021 & IA No. 1 of 2021
M/s. Sarda Metals & Alloys Ltd., Vs. APEPDCL**

Petition filed u/s 86 (1) (f) of the Electricity Act, 2003 challenging the levy & collection of overinjection charges and seeking a direction to the respondent to pay an amount of Rs.2,90,81,340/- towards the power (10769675 KWH) injected by the petitioner during the period of 03.02.2013 to 28.02.2021.

Application seeking interim relief

Sri. M.Abhinay Reddy, counsel representing Sri P.Vikram, learned counsel for the petitioner; and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the hearing.

Sri. M.Abhinay Reddy submits that his client does not intend to file rejoinder. Instead, he requested posting the case for hearing.

Accordingly, the O.P., is adjourned to 01-02-2023.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 40 of 2022 - APSPDCL
OP No. 50 of 2022 - APSPDCL

Petitions filed seeking renewable energy certificates for the Financial Year 2019-2020 as per its eligibility under section 61, 66, 86(1)(e) of the Electricity Act, 2003 read with Regulation 1 of 2017 of APERC prescribing the obligation for purchase of renewable power and its compliance by purchase of renewable energy / renewable energy certificates

Petition filed under section 61,66, 86(1)(e) of the Electricity Act, 2003 read with APERC Regulation 1 of 2017 seeking Renewable Energy Certificates for the FY 2020-21

Sri P. Shiva Rao, learned Standing Counsel for the petitioner-APSPDCL, is present at the hearing.

No objections have been filed.

Heard Sri P.Shiva Rao, learned Standing Counsel for the petitioner.

Orders reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 46 of 2022 - APSPDCL
OP No. 47 of 2022 - APEPDCL
OP No. 48 of 2022 - APCPDCL

Filing of application for pass through of Fuel & Power Purchase Cost Adjustment (FPPCA) for 4th quarter for FY 2021-22 (January 2022 to March 2022) in Rs./Unit as per Second amendment to APERC Regulation No. 4 of 2005 (Terms and conditions for determination of tariff on wheeling and retail sale of electricity) Regulation No. 4 of 2021.

Sri P. Shiva Rao, learned Standing Counsel for the petitioner-DISCOMs and Sri M.Vengopala Rao & Sri M. Vijay Gopal Reddy, learned Objectors are present at the hearing.

During the hearing, Sri M.Venugopala Rao, learned Objector, raised an objection to the effect that the petitioners have not shown the actual calculation relating to FPPCA in respect of agricultural consumption.

Sri P.Shiva rao, learned Standing Counsel for the petitioners, submitted that though the breakup of FPPCA pertaining to agricultural consumption is not provided in

the material supplied by them, nevertheless, the total agricultural consumption has been shown in the material filed along with the petitions. However, he has undertaken to furnish the detailed calculations on this aspect so as to ensure that no part of FPPCA attributable to agricultural consumption is levied on the other category of consumers. Such calculations shall be filed within three days and the same shall be uploaded on the Commission's website for public information.

The petitioners filed responses to the objections filed by various Objectors. Further hearing in physical mode is held.

Sri P.Shiva Rao, learned Standing Counsel for the petitioners, has made his submissions. Sri M.Venugopala Rao and Sri M.Vijaya Gopala Reddy, learned Objectors, made their further submissions.

Though online hearing was notified earlier, in view of the detailed hearings held in physical mode, filing of detailed objections by various stakeholders - such as, FAPCCI and SICMA; and public representatives, such as, Sri Ch.Baburao, (CPI-M), Vijayawada, Sri K.Murali, (CPI-M & CITU), Tirupati, Sri A.S.Perumal, District Secretary, Chittoor District Powerloom Workers Union, Nagari and Sri M.Venugopala Rao, Senior Journalist and Convenor of Centre for Power Studies, Hyderabad - and in the absence of any specific request coming forth from any stakeholder for a separate online hearing, the Commission is of the view that there is no need for any online hearing.

Hearings are concluded and orders are reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 59 of 2021
APEPDCL & 2 others Vs. GVK Industries Ltd & three others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations 1999 in the matter of Buy-out of GVK Stage-I project by APDISCOMs - Execution of registered sale deed transferring the entire land together with assets of GVK Phase - I in favour of APDISCOMs- not executed by M/s GVK - Dispute between M/s. GVK and licensees - adjudication under Section 86 (1) (f) of the Electricity Act, 2003.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M.Vengopala Rao, learned Objector, are present at the hearing. None appeared on behalf of the respondents.

In pursuance of the order of the Commission permitting impleadment of the Interim Resolution Professional (IRP), the petitioners impleaded the IRP as respondent No.5.

Issue Notice to respondent No.5 (IRP).

Call on 01-02-2023.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 114 of 2021
Triveni Enterprises Vs. APTRANSCO & APSPDCL
OP No. 115 of 2021
Chandulal Surajmal Vs. APTRANSCO & APSPDCL

Petition filed under sections 86(1)(a), 86(1)(b) and 86(1)(e) of the Electricity Act, 2003, for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dt: 31-03-2011 in the State of Andhra Pradesh, after expiry of the ten year period in terms of the Order dated: 01-05-2009 passed by this Hon'ble Commission in OP Nos. 6 and 7 of 2009

Sri. A.P.Reddy, learned counsel for the petitioners; and Sri P. Shiva Rao, learned Standing Counsel for respondents, are present at the hearing.

Heard the learned counsel for both the parties. Orders reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 63 of 2021
Shri Girija Alloy & Power (I) Pvt Ltd Vs. APEPDCL

Petition filed u/s 86 (1) If of the Electricity Act, 2003 seeking startup power tariff to be in conformity with Clause 17 of Regulation 3 of 2017

Sri. M.Abhinay Reddy, counsel representing Sri P.Vikram, learned counsel for the petitioner; and Sri P. Shiva Rao, learned Standing Counsel for the respondent, are

present at the hearing.

A further request is made on behalf of Sri P.Vikram, learned counsel for the petitioner, for an adjournment.

Accordingly, the matter is adjourned to 01-02-2023.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 42 of 2021
M/s. Compucom Software Ltd., Vs. APSPDCL

OP No. 52 of 2021
M/s. Vikram Traders Vs. APTRANSCO & APSPDCL

OP No. 53 of 2021
M/s. S. Kumar Vs. APTRANSCO & APSPDCL

OP No. 54 of 2021
M/s. Siddanga Oil Extractions Pvt Ltd Vs. APTRANSCO & APSPDCL

OP No. 55 of 2021
M/s. Texmo Precision Casting Vs. APTRANSCO & APSPDCL

OP No. 56 of 2021
M/s. Arts & Crafts Exports Vs. APTRANSCO & APSPDCL

OP No. 57 of 2021
M/s. Prakash Beedies Pvt Ltd Vs. APTRANSCO & APSPDCL

OP No. 58 of 2021
M/s. Texmo Industries Vs. APTRANSCO & APSPDCL

OP No. 61 of 2021
M/s. Shreem Electric Ltd Vs. APTRANSCO & APSPDCL

OP No. 105 of 2021
M/s International Conveyors Limited Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's 0.8 MW wind power plant to the respondent herein for the PPA dt.22-04-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in OP Nos. 6 & 7 of 2009.

Sri. A.P.Reddy, learned counsel for the petitioner; and Sri P. Shiva Rao, learned Standing Counsel for respondents, are present at the hearing.

Heard. Orders reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 27 of 2021
M/s. Mayura Steels Private Limited Vs. APTRANSCO & APSPDCL

OP No. 28 of 2021
M/s. Happy Valley Developers Vs. APTRANSCO & APSPDCL

OP No. 29 of 2021
M/s. Canara Cement Pipes Vs. APTRANSCO & APSPDCL

OP No. 30 of 2021
M/s. Orange Sorting Machines (India) Private Limited Vs APTRANSCO & APSPDCL

OP No. 31 of 2021
M/s. Megha Associates Vs. APTRANSCO & APSPDCL

OP No. 32 of 2021
M/s. Shilpa Medicare Limited Vs. APTRANSCO & APSPDCL

OP No. 33 of 2021
M/s. Nandi Roller Flour Mills Private Limited Vs. APTRANSCO & APSPDCL

OP No. 34 of 2021
M/s. Protectron Electromech Private limited Vs. APTRANSCO & APSPDCL

OP No. 62 of 2021
M/s. Texonic Instruments Vs. APTRANSCO & APSPDCL

OP No. 70 of 2021
M/s. G Shoe Export Vs. APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 22-04-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009.

Sri. A.P.Reddy, learned counsel for the petitioner; and Sri P. Shiva Rao, learned Standing Counsel for respondents, are present at the hearing.

Heard. Orders reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR