

Record of proceedings dated 05-06-2020

O.P.No.33 of 2019
APSPDCL & APEPDCL Vs APGENCO

Public hearing on the Petition u/s 86 (1) (b) of the Electricity Act, 2003 read with Section 21 (4) of the A.P. Reforms Act, 1998 requesting for granting consent to the Amended and Restated PPA dated 28-01-2019 in respect of 600 MW Rayalaseema Thermal Power Project (RTPP) - Stage IV at Muddanur, Cuddapah District.

O.P.No.35 of 2018
APGENCO Vs APSPDCL & APEPDCL

Public hearing in the matter of determination of tariff of APGENCO stations for the 4th control period (FY 2019-20 to FY 2023-24)

Sri P. Shiva Rao, learned Standing Counsel for the petitioners / respondents, Sri K. Gopal Choudary, learned counsel for the respondent / petitioner and Sri M. Venugopala Rao, learned objector are present.

The petitioner has filed an affidavit with additional documents in support of the reasons assigned for delay in execution of the project. Sri P. Shiva Rao, learned Standing Counsel for the respondents requested for time for filing response of the respondents. The respondents shall file the response within two weeks. Two more weeks' time is granted to the learned counsel for the petitioner for making his submissions. Call on 08-07-2020.

Sd/-
MEMBER / TRS

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CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.53 of 2019
APPDCL Vs APSPDCL & APEPDCL

Petition u/s 62 of the Electricity Act, 2003 for determination of tariff for the control period FY 2019-2024 for the electricity supplied by APPDCL from SDSTPS to the Distribution Licensees in Andhra Pradesh

R.P.No.2 of 2019 in O.P.No.47 of 2018
APPDCL Vs APSPDCL & APEPDCL

Petition u/s 94 (1) (f) of the Electricity Act, 2003 praying for review of the order dated 02/03/2019 passed in O.P. 47 of 2017 for determination of tariff from 02/05/20

31/03/2019 for the electricity supplied by APPDCL from SDSTPS to the Distribution Licensees in Andhra Pradesh

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri K. Gopal Choudary and Sri P. Shiva Rao, learned counsel representing respective parties submitted that the respondents have filed a review petition seeking review of the order passed in O.P.No.47 of 2017 relating to certain parameters and that the said O.P. needs to be heard along with these cases. It is brought to the Commission's notice that the review petition filed by the respondents is yet to be numbered. The said review petition shall be processed and made ready for hearing along with these cases. Call on 04-08-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.52 of 2019
APSPDCL & APEPDCL Vs APPDCL

Petition u/s 86 (1) (f) of the Electricity Act, 2003 praying for resolving the issues in the matter of adjudication of the disputes / differences with Andhra Pradesh Power Development Company Ltd (APPDCL) as specified in para 12 of the order of the Commission in O.P.No.21 of 2016 dt.13-07-2018 in the matter of Amended and Restated Power Purchase Agreement dated 24-08-2016 entered with APPDCL by APDISCOMs for procurement of power from 2 x 800 MW Sri Damodaram Sanjeevaiah Thermal Power Station (SDSTPS), Krishnapatnam, Nellore District

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri K. Gopal Choudary, learned counsel for the respondent are present.

Both the learned counsel agreed that this O.P. could be heard and decided independent of O.P.No.53 of 2019 and R.P.No.2 of 2019. At the request of Sri P. Shiva Rao, learned Standing Counsel for the respondent, post on 23-06-2020.

Sd/-
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CHAIRMAN

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MEMBER / PRR

O.P.No.7 of 2020

Public hearing in the matter of Transmission Scheme for evacuation of power from
Polavaram Hydro Electric Power Project (12x80) 960 MW

Sri M. Venugopala Rao, learned objector is present.

No objections have been received. Orders reserved.

The above order was dictated during hearing. However, it has come to light later that
Sri M. Venugopala Rao filed his objections. Call on 04-08-2020.

Sd/-
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CHAIRMAN

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MEMBER / PRR

O.P.No.8 of 2020

Public hearing in the matter of Amendment to Modalities (Guidelines) for
implementing Solar Rooftop Policy, 2018

Objections filed by Sri M. Thimma Reddy and Sri B.V.S. Prabhakar Raju have been
received. As notices are not issued to them, the case is adjourned. The office shall
issue notices through e-mails immediately. Sri P. Shiva Rao, learned Standing
Counsel requested for time for filing response to the objections. Call on 23-06-2020.

Sd/-
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MEMBER / PRR

O.P.No.64 of 2019

M/s. Indian Oil Corporation Limited Vs APSPDCL & APTRANSCO

Petition under Section 86(1) (f) of the Electricity Act, 2003 read with APERC
(Conduct of Business) Regulations, 1999 seeking directions to the respondents for
releasing payment against the outstanding monthly invoices towards sale of wind
energy along with the interest / delayed payment surcharge on such delayed
payments, payments of amounts deducted towards 1% rebate from monthly invoices
and interest on delayed payment as per Articles 2.2 and 5.2 of the Power Purchase
Agreements dated 08-05-2012, 31-03-2012, 21-03-2013 and 18-07-2014

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao,
learned Standing Counsel for the respondents are present.

Sri P. Shiva Rao, learned Standing Counsel for the respondent submitted that the entire arrears @ Rs.2.42 ps as directed to be paid by this Commission have been paid till September, 2019. Sri Challa Gunaranjan, learned counsel for the petitioner submitted that in the pending O.P. a further direction for payment at the interim tariff may be given. However, on noticing that the prayer in the O.P. is confined to the period till September, 2019, the learned counsel for the petitioner requested for an adjournment for seeking appropriate relief. Accordingly, the case is adjourned to 30-06-2020.

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CHAIRMAN

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MEMBER / PRR

O.P.No.60 of 2019
M/s. Green Infra Wind Solutions Ltd Vs APPCC & APSPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 read with Power Purchase Agreement dt.18-02-2017 executed between the petitioner and respondent for recovery of outstanding amounts legally due to the petitioner

Heard Sri Vishrov Mukerjee, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents. Sri P. Shiva Rao, learned Standing Counsel for the respondents submitted that as undertaken by him during the last hearing the respondents have cleared the arrears till September, 2019 at the interim rate of Rs.2.42 ps. Sri Vishrov Mukerjee confirmed this fact. He, however submitted that no further payment has been made even at the interim rate for the subsequent period. Sri P. Shiva Rao submitted that the respondents are in dire financial state and that they have been making every endeavour to clear the arrears. In the light of the rival submissions, case is adjourned by one month to facilitate the respondents to make a reasonable payment for the period from October, 2019. Call on 08-07-2020.

Sd/-
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Sd/-
CHAIRMAN

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MEMBER / PRR

O.P.No.63 of 2019

M/s. Jindal Aluminium Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (f) of the Electricity Act 2003 R/w APERC Conduct of Business Regulation 1999 for direction to make payment amounts against the monthly bills for the period from 01-08-2018 to 31-07-2019 and the amounts deducted towards rebate from monthly power bills for the period May, 2018 to June, 2018 along with interest in terms of PPA dated 14-08-2015

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents. Sri P. Shiva Rao, learned Standing Counsel for the respondents submitted that as undertaken by him during the last hearing the respondents have cleared the arrears till September, 2019 at the interim rate of Rs.2.42 ps. Sri Challa Gunaranjan confirmed this fact. He, however submitted that no further payment has been made even at the interim rate for the subsequent period. Sri P. Shiva Rao submitted that the respondents are in dire financial state and that they have been making every endeavour to clear the arrears. In the light of the rival submissions, case is adjourned by one month to facilitate the respondents to make a reasonable payment for the period from October, 2019. Call on 08-07-2020.

Sd/-
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O.P. No.12 of 2020

M/s. Aarohi Solar Private Ltd.& 4 others Vs APSPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes arising out of the Power Purchase Agreements dated 05-12-2014 entered by them with APSPDCL and seeking directions to the APSPDCL to act in accordance with terms of the PPA in connection with charges for drawl of power by their solar power generating stations for the auxiliary consumption.

I.A. No. 3 of 2020 filed u/s 94 (2) of the Electricity Act, 2003 sought for stay on the demand notices and invoices in connection with charges for drawl of power by the generating stations for their auxiliary consumption.

Sri Aditya Singh, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Further time for filing counter affidavit is sought for by Sri P. Shiva Rao, learned Standing Counsel for the respondents. Sri Aditya Singh also requested for time for filing reply to the counter affidavit that may be filed by the respondents. Two weeks' time for filing counter affidavit and two weeks' time for filing reply affidavit is granted to the petitioner and the respondents respectively. Call on 08-07-2020.

Sd/-
MEMBER / TRS

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CHAIRMAN

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MEMBER / PRR

O.P.No.10 of 2020

Garrison Engineer (P), Navy Kalinga, Bheemunipatnam Vs APEPDCL & 2 others

Petition U/Sec. 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 R/w Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 seeking permission for the establishment of 2 MW solar rooftop power plant under net metering

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

After arguing the case for some time, the learned counsel for the petitioner requested for time for filing rejoinder clarifying the legal aspects cropped up during the hearing. Call on 08-07-2020.

Sd/-
MEMBER / TRS

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CHAIRMAN

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MEMBER / PRR