

Record of Proceedings Dated 07-08-2024

OP No. 117 of 2021 & IA No.1 of 2024
Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL
&
OP No. 118 of 2021
Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL

(Both the Petitions are filed under Section 33(4) r/w Sections 86(1)(e), (f) & (k) of the Electricity Act, 2003 challenging the alleged wrongful curtailment of power of the petitioner by Respondent No.1-APSLDC and seeking appropriate directions to the the Respondents not to issue curtailment instructions and to direct them to pay the amounts due towards deemed generation)

IA No.1 of 2024 in OP No.117 of 2021

(This Interlocutory Application is filed by APSLDC-respondent No.1, under Clause-55 of the APERC (Conduct of Business) Regulations, 1999, seeking appointment of a Technical Expert, including an official working in the Central Electricity Authority to give his opinion on the Data submitted by it in respect of compliance or non-compliance of the FOR Guidelines).

OP No. 12 of 2023 & IA No.1 of 2024

M/s Walwhan Renewable Energy Ltd Vs. APSPDCL, APSLDC, APTRANSCO

OP No. 12 of 2023:

Petition filed under Section 86(1)(e) r/w. Section 86(1)(f) of the Electricity Act, 2003 seeking appropriate directions to the Respondents to compensate the Petitioner for the actual loss of revenue suffered by it on account of frequent and rampant backing down instructions given to the Petitioner on account of the inadequacy of Transmission System and alleged grid safety issues)

IA No.1 of 2024:

This Interlocutory Application is filed by the respondents in the main OP, seeking appointment of a Technical Expert, including an official working in Central Electricity Authority, to give their opinion as to the Data submitted by the applicants herein with respect to the compliance or otherwise of the FOR Guidelines/IEGC.

Sri Mridul Chakravarty, counsel, representing Sri Hemant Singh, learned counsel for the petitioners in OP No.117 & 118 of 2021; Sri Suhael Buttan, counsel representing Mr. Shri Venkatesh, learned counsel for the petitioner in OP No. 12 of 2023; and Sri G.V.Brahmananda Rao, counsel representing

Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

After the Commission passed its order on 10.07.2024 deciding to refer the issues to IDAM Infra, the Office of this Commission has contacted the said agency. IDAM Infra, while expressing its readiness to examine the issues and submit the report, quoted Rs.27 Lakhs for undertaking this job. As the amount appears to be substantial, in all fairness the Commission thought it fit to afford an opportunity to both parties to indicate their response. Today, Sri Suhael Buttan, and Sri. Mridull Chakravarty, Learned Counsel, appearing for the respective petitioners and Sri M. Brahmanand Rao, Learned Counsel representing Sri P. Shiva Rao, fairly submitted their no objection for paying the amount in equal proportions. They expressed their willingness to bear the expenditure in equal proportion, i.e. $\frac{1}{4}$ each by these parties, including APSLDC. As IDAM Infra has required 30% of the advance payment, they have agreed to make such a payment. Accordingly, it has been finally decided to refer the issues to IDAM infra as indicated in the order dated 10-07-2024 in the following terms. Each of the 4 parties to these petitions is ; the petitioners and APSLDC shall bear 1/4th of the fees quoted by IDAM Infra. An advance payment of 30% of the share of each party has to be made within 2 weeks in favour of IDAM Infra. A separate reference order will follow.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 28 of 2024

M/s. Aurobindo Pharma Ltd (APL) Vs. Transmission Corporation of Andhra Pradesh Limited, The Chief Engineer, Vizag Zone, AP Transco, Superintending Engineer, OMC Circle, APTRANSCO, Vizianagaram.

(Petition filed under Section 86(1)(c), 86(1)(f) & 86(1)(k) of the Electricity Act, 2003 for adjudication of a dispute in relation to claim of line and bay maintenance charges imposed on petitioner's unit I (HT SC No. SKL - 139) & Unit II (HT SC No. SKL - 423))

Sri Shreyas Reddy, Counsel representing Sri Challa Gunaranjan, learned Counsel for the Petitioners; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

The Learned counsel for the respondent submitted that counter affidavit is being filed today. On behalf of the petitioner, an adjournment is sought.

Call on 28-08-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 4 of 2024

M/s.Vuddanda Solar Power Private Limited Vs. M/s.APSPDCL

(Petition filed under Sections 42 and 86(1)(e) r/w. Section 86(1)(f) of the Electricity Act, 2003 to declare the levy and demand of Cross Subsidy Surcharge (CSS) on the Petitioner for the period April 2021 to March 2022, vide: Lr.No.CGM(R&IA)/AO /AAO-HT/JAO-HT/D.No.223/23 dated 10-11-2023 as arbitrary and illegal and to set aside the demand of the Cross Subsidy Surcharge (CSS) on the Petitioner vide Lr.No.CGM(R&IA)/AO/AAO-HT/JAO-HT/D.No.223/23, dated 10-11-2023)

Sri Shreyas Reddy, counsel representing Sri N.V.Sumanth, learned counsel for the Petitioner; and Sri G.V.Brahmananda Rao, counsel representing

Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

OP disposed of (vide separate order)

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 58 of 2023

M/s Jindal Urban Waste Management (Guntur) Ltd., Vs. APCPDCL

(Petition filed under Sections 62(1), 64, 86(1) of the Electricity Act, 2003, seeking determination of a tariff of Rs.7.16/- per unit or higher for the sale of electricity generated from the additional 5 MW Waste to Energy (WtE) power plant of the petitioner to the respondent in the duration of the PPA dated 06.02.2016)

Sri C.Viswanath, counsel representing Sri S.Vivek Chandrasekhar, learned counsel for the Petitioner, and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondent, are present at the hearing.

Sri Brahmand Rao, Learned Counsel representing the respondent, submitted that Sri P. Siva Rao, the Standing Counsel for the respondent, is unable to attend the proceedings today. He requested a short adjournment.

Call on 11-09-2024

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 65 of 2023

M/s. Balaji Energy Pvt. Ltd Vs. APSPDCL

(Petition filed under Section 62 of the Electricity Act, 2003 seeking to fix the tariff as per MNRE Guidelines for the Petitioner's Mini Hydel Power Plant at Somasila (MHPP) from the 11th Year of

Operation in pursuance of the order, dated 10-07-2023, passed by the Hon'ble High Court of Andhra Pradesh in W.P.No.20728 of 2016)

Sri S.Ravi, learned Senior Counsel for the Petitioner; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Sri S. Ravi, Learned Senior Counsel for the petitioner, concluded his submissions. For the submissions of the respondents call on 18-09-2024 at Visakhapatnam camp office.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS