

Record of proceedings dated 11-11-2020

O.P.No.44 of 2020

Penna Cement Industries Ltd Vs APSLDC

Petition Filed under Section 86(1)(e) of the Electricity Act, 2003 R/w Clause 9 of the APERC Renewable Power Purchase Obligation (Compliance by Purchase of Renewable Energy / Renewable Energy Certificates) Regulations, 2017.- Regulation 1 of 2017

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

Sri P. Shiva Rao requested for a short adjournment for filing counter affidavit. Two weeks' time for filing counter affidavit is accordingly granted. Call on 25-11-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.76 of 2019

M/s Axis Wind Farms (Anantapur) Pvt. Ltd., M/s Axis Wind Farms (Rayalaseema) Pvt. Ltd and M/s Axis Energy Ventures India Pvt. Ltd. Vs APSLDC, APTRANSCO, APSPDCL, Energy Department, GoAP, MNRE and SRLDC

Petition filed under Section 33(4) read with Section 86(1)(e), 86(1)(f), and 86(1)(i) of the Electricity Act, 2003, seeking various declaratory and substantive reliefs in respect of the arbitrary, illegal, and wrongful curtailment of generation from each of the first and second petitioners' 105 MW Wind Power Plants

Sri Vishal Binod, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for APSLDC, AP TRANSCO and APSPDCL are present at the web hearing.

Two more weeks' time for filing rejoinder as requested for by the learned counsel for the petitioners is granted. Call on 16-12-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.74 of 2019 & I.A.No.27 of 2019

M/s.Azure Power India Pvt. Ltd Vs APSLDC, APTRANSCO, APEPDCL, NTPC & MNRE

Petition filed by the petitioner under Section 33(4) read with Section 86(1)(e), 86(1)(f), and 86(1)(k) of the Electricity Act, 2003, and Regulation 8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 as amended from time to time, inter alia seeking direction(s) to the Respondents to implement the MUST RUN status accorded to the Petitioner's Solar Projects in letter and spirit, refrain from illegally curtailing the solar energy generated therefrom and compensate the Petitioner for the unlawful and arbitrary curtailment of generation from the Petitioner's Solar Project

I.A.No.27 of 2019 filed by the petitioner under Regulation 16 read with Regulation 55 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 as amended from time to time, inter alia seeking interim direction(s) to the Respondents to implement the MUST RUN status accorded to the Petitioner's Solar Project in letter and spirit, and to produce the documents specified in the application which are necessary for the purpose of enabling the Commission to pass orders for adjudication of the Original Petition.

O.P.No.61 of 2019 and I.A.No.20 of 2019 & I.A.No.19 of 2020
M/s. SBG Cleantech Project Co Pvt. Ltd Vs APSLDC, APTRANSCO, APEPDCL, NTPC & MNRE

Petition u/s 33 (4) read with Sections 86 (1) (e), 86 (1) (f) and 86 (1) (k) of the Electricity Act, 2003 and Regulation 8 of the APERC (Conduct of Business) Regulations, 1999 as amended from time to time, inter-alia, seeking direction(s) to the respondents to implement the MUST RUN status accorded to the petitioner's Solar Project in letter and spirit, refrain from illegally curtailing the solar energy generated therefrom, and compensate the petitioner for the unlawful and arbitrary curtailment of generation from the petitioner's Solar Project

I.A.No.20 of 2019 filed by the petitioner under Regulation 16 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 as amended from time to time, inter-alia, seeking interim direction(s) to the respondents to implement the MUST RUN status accorded to the petitioner's Solar Project in letter and spirit and to produce documents specified hereunder which are necessary for the purpose of enabling this Commission to pass order for adjudication of the petition filed under Section 33 (4) read with Section 86 (1) (e), 86 (1)(f) and 86 (1) (k) of the Electricity Act, 2003.

I.A.No.19 of 2020 filed in OP No. 61 of 2019 by Respondent No.1/ APSLDC Under Clause 16 (3) r/w Clause 55 of APERC Conduct (Business Regulations) 2 of 1999 for submitting additional documents (Part I & II)

Sri Aniket Prasoon, learned counsel for the petitioners in the O.Ps. and Sri P. Shiva Rao, learned Standing Counsel for the utilities/AP Discoms are present at the web hearing.

At the request of Sri Aniket Prasoon, call on 16-12-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.40 of 2020
Victory Power Systems Pvt Ltd Vs APSPDCL

Petition u/s 86 (1) (f) r/w Sections 86 (1) (b) and 86 (1) (e) of the Electricity Act, 2003 for adjudication of the dispute relating to the purchase of mini hydel power by APSPDCL from Victory Power Systems Pvt Ltd in terms of the PPA dt.16-02-2019 and for approval thereof

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

Counter affidavit is filed. Sri Challa Gunaranjan submitted that he has not received a copy of the counter. Sri P. Shiva Rao shall ensure that counter affidavit is served on the learned counsel for the petitioner. At the request of the learned counsel for the petitioner, call on 30-12-2020 for filing rejoinder, if any.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.19 of 2019 in O.P.No.35 of 2019
M/s. Vayu Urja Bharat Pvt. Ltd Vs APSPDCL

I.A.No.19 of 2020 - Application under Section 142 of the Electricity Act, 2003 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999, as amended, seeking urgent directions against APSPDCL for the non-compliance of this Commission's order dated 31-08-2019 in O.P.No.35 of 2019

Sri P. Sri Raghuram, learned senior counsel representing Sri Aniket Prasoon, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

Sri P. Sri Raghuram, learned senior counsel requested for an adjournment for preparation of paper book and for making his submissions. Call on 16-12-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.20 of 2020
M/s. Chaitanya Projects Vs APSPDCL & 2 others
Petition filed u/s 86 (1) (b) r/w 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 seeking directions to the Respondent No.1 to act upon the PPA dt.30-03-2017 entered into with the petitioner for purchase of power from its 0.8 MW Wind Power Project and to direct to pay for the power generated and supplied from the petitioner's project for the period from the date of the commissioning i.e., 29-03-2017 onwards along with interest and to direct the APSPDCL to open irrevocable revolving letter of credit as per Article 5.4 of PPA dt.30-03-2017.

O.P.No.9 of 2020
M/s.Vibrant Greentech India Pvt Ltd. Vs APSPDCL & 2 others

Petition u/s. 86(1)(b) r/w 86 (1) (f) of the Electricity Act, 2003 R/w APERC (Conduct of Business) Regulations, 1999 to direct the APSPDCL to act upon the PPA dt.30-03-2017 entered into with the petitioner for purchase of power from its 4.25 MW wind power project

and to direct to pay for the power generated and supplied from the petitioner's project, for the period from the date of COD i.e., 30-03-2017 onwards along with interest and to direct APSPDCL to open irrevocable revolving letter of credit as per Article 5.4 of PPA dated 30-03-2017

Sri P. Sri Raghuram, learned senior counsel for the petitioner in O.P.No.20 of 2020, Sri Challa Gunaranjan, learned counsel for the petitioner in O.P.No.9 of 2020 and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

In the midst of the submissions of Sri P. Sri Raghuram, learned senior counsel appearing in O.P.No.20 of 2020 and Sri Challa Gunaranjan, learned counsel appearing in O.P.No.9 of 2020, it has transpired that unless the orders "rescinding" of the PPAs by the respondents are challenged and pleadings are appropriately amended, the said aspect cannot be adjudicated by the Commission. In view of the same, both the learned counsel requested for adjournment for taking appropriate steps. The petitioners are granted three weeks' time for filing amendment petitions. The respondents are granted two weeks' time for filing counters and a week's time thereafter for rejoinder by the petitioners. Call on 06-01-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.12 of 2020 & I.A.No.3 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.

Ms. Jyotsna Khatri, learned counsel representing Sri Aditya Singh, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

The learned counsel representing the petitioners submitted that the arguing counsel is not well. She therefore requested for an adjournment. Call on 30-12-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR