

Record of proceedings dated 13-03-2019

O.P.No.33 of 2009

FOR ORDERS

Lanco Kondapalli Power Ltd Vs APPCC, APTRANSCO & DISCOMs

Petition u/s 86 (1) (f) of the Electricity Act, 2003 claiming capacity charges payable by the respondents and also interest payable thereon

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of

2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.42 of 2009 & I.A.No.4 of 2010
FOR ORDERS
Lanco Kondapalli Power Ltd Vs APPCC, APTRANSCO & DISCOMs

Petition u/s 62, 86 (1) (f) of the Electricity Act, 2003 claiming finance and procurement costs payable by the respondents together with interest thereon and I.A.No.4 of 2010 filed by the respondents

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of

2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.57 of 2011
FOR ORDERS
APTRANSCO Vs Spectrum Power Generation Ltd

Petition u/s 86 (1) (b) of the Electricity Act, 2003 seeking deletion of usage of Naptha as supplementary fuel and others as alternate fuel

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri M. Naga Deepak, learned counsel for the respondent are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal

consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.85 of 2012
FOR ORDERS

Lanco Kondapalli Power Ltd Vs APPCC, APTRANSCO & DISCOMs

Petition u/s 86 (1) (f) for reimbursement of Minimum Fuel Off-take Charges and other fuel transportation charges being part of monthly bills

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of

2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013
FOR ORDERS
RVK Energy Pvt. Ltd Vs APPCC & 9 others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for claim for price of the power supplied by the petitioner to Andhra Pradesh Power Coordination Committee (APPCC)

I.A. filed by the petitioner u/s 94 of the Act

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court

is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.51 of 2013
FOR ORDERS
Penna Cement Industries Ltd Vs APTRANSCO, APPCC & DISCOMs

Petition u/s 86 (1) (f) of the Electricity Act, 2003 seeking to recover the amount Rs.2,66,34,295/- towards pending dues on account of supply of electricity

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal

consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.10 of 2014

FOR ORDERS

Spectrum Power Generation Ltd Vs APTRANSCO, DISCOMs & APPCC

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes between the parties with regard to Minimum Off Take Charges

Sri M. Naga Deepak, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal

consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.15 of 2014
FOR ORDERS
E.I.D. Parry (India) Ltd Vs APTRANSCO & DISCOMs

Petition u/s 86 (1) (f) of the Electricity Act, 2003 in relation to non-payment of fixed charges by trueing annualized threshold PLF of 55% as per the tariff determined by the Commission to the petitioner under the Power Purchase Agreement

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of

2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.20 of 2014
FOR ORDERS
Silkroad Sugar Pvt. Ltd Vs CMD / APTRANSCO CE / APTRANSCO

Petitioner u/s 33 (4) & 86 (1) (f) of the Electricity Act, 2003 in the matter of refund of
excess recovered amount of Rs.2,51,55,786/-

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of

2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.37 of 2014 & I.A.No.9 of 2014
FOR ORDERS
Spectrum Power Generation Ltd Vs APTRANSCO & 5 others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of disputes between the parties, along with Interlocutory Application (I.A. No. 9 of 2014)

Sri M. Naga Deepak, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court

is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.38 of 2014
FOR ORDERS
Spectrum Power Generation Ltd Vs APTRANSCO & 5 others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of disputes between the parties.

Sri M. Naga Deepak, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal

consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.56 of 2014
FOR ORDERS
Spectrum Power Generation Ltd Vs APTRANSCO & 5 others

Petition filed under Section 86 (1) (f) read with Sections 86 (1) (a) and 86 (1) (k) of the Electricity Act, 2003 for approval of completed capital cost incurred by the petitioner

Sri M. Naga Deepak, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of

2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

R.P.No.1 of 2014 in O.P.No.44 of 2013
FOR ORDERS
APTRANSCO & 5 others (Respondents in main case) Vs Spectrum Power
Generation Ltd (Petitioner in main case)

Petition filed under Section 94 (1) (f) of the Electricity Act, 2003 seeking review the
Commission's order dt.27-07-2013 in O.P.No.44 of 2013

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned
Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the
respondent are present.

Orders pronounced (*vide separate order*)

“9. Therefore, the records in R.P.No.1 of 2014 in O.P.No.44 of 2013 shall
be duly indexed and transmitted to the Central Electricity Regulatory
Commission for being proceeded with in accordance with law in compliance
with the common order of the Hon'ble High Court of Judicature at Hyderabad
For the State of Telangana and the State of Andhra Pradesh in
W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.10 of 2015
FOR ORDERS
Lanco Kondapalli Power Ltd Vs APPCC, APSPDCL & APEPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 claiming reimbursement
of Bank Guarantee Commission being part of Finance & Procurement costs

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel
for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri
P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding

with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.60 of 2012
FOR ORDERS
Nile Ltd Vs APSPDCL & TSSPDCL

Petition Seeking directions for payment on the monthly power bills

Sri M. Sridhar and Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding

with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.28 of 2017
FOR ORDERS

APSPDCL & APEPDCL Vs M/s. Konaseema Gas Power Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 444.08 MW project at Devarapalli (V), Ravulapalem (M), East Godavari District at HT-1 scheduled tariff

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri E. Satish Kumar, learned counsel for the 1st respondent are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding

with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.11 of 2015
FOR ORDERS

APSPDCL & APEPDCL Vs Konaseema Gas Power Ltd

Petition under Section 86 (1) (b) and (f) of the Electricity Act, 2003 to delete Clause reflecting alternate fuel in the definition of “Fuel” in the PPA entered by M/s. Konaseema Gas Power Ltd., with APTRANSCO, APDISCOMs

Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri E. Satish Kumar, learned counsel for the respondent are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding

with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.41 of 2017
FOR ORDERS

M/s. Madhucon Sugar & Power Industries Ltd Vs APPCC & 4 others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute between the generating company and the distribution companies towards shortfall amounts as payable against invoices on account of energy supplied during October & November, 2010 in terms of Purchase Order together with interest.

Sri M. Sridhar, Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao,

learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri M. Sridhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners in O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 filed three memos each stating that the petitioners filed Review Petitions in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively before the Hon'ble High Court for the State of Telangana at Hyderabad claiming that there is an error apparent on the face of the record in the common order dated 31-12-2018 and the petitioners, therefore, desired to adjourn O.P.No.15 of 2014, O.P.No.20 of 2014 & O.P.No.60 of 2012 till the disposal of Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively. When enquired, the learned counsel has stated that there are no orders of any interim stay or any other nature from the Hon'ble High Court concerning the common order dated 31-12-2018. The Hon'ble High Court in its Division Bench has laid down the principles governing the question of jurisdiction in the said common order and this Commission is duty bound in law to comply with and give effect to the common order of the Hon'ble High Court, which is already two months and thirteen days old. If the Hon'ble High Court is pleased to pass any orders in Rev.I.A.No.14652 of 2019, Rev.I.A.No.14653 of 2019 & Rev.I.A.No.14657 of 2019 dated 12-03-2019 respectively, as a natural legal consequence, the common order, which the Commission is pronouncing today will be subject to the said order or orders and any such further or final orders of the Hon'ble High Court in the Review Petitions or otherwise will be faithfully given effect to. However on any such plea of filing or pendency of any review petition, this Commission cannot continue to not implement the common order of the Hon'ble

High Court dated 31-12-2018 in all matters to which such common order or the principles laid down therein squarely apply. Hence, the Commission is proceeding with pronouncing the orders today to give effect to the said common order of the Hon'ble High Court.

Orders pronounced (*vide separate common order*)

“18. Therefore, the records in O.P.No.33 of 2009, O.P.No.42 of 2009 & I.A.No.4 of 2010, O.P.No.57 of 2011, O.P.No.60 of 2012, O.P.No.85 of 2012, O.P (SR) No.25 of 2013 & I.A (SR) No.80 of 2013, O.P.No.51 of 2013, O.P.No.10 of 2014, O.P.No.15 of 2014, O.P.No.20 of 2014, O.P.No.37 of 2014 & I.A.No.9 of 2014, O.P.No.38 of 2014, O.P.No.56 of 2014, O.P.No.10 of 2015, O.P.No.11 of 2015, O.P.No.28 of 2017 & O.P.No.41 of 2017 shall be duly indexed and transmitted to the Central Electricity Regulatory Commission for being proceeded with in accordance with law in compliance with the common order of the Hon'ble High Court of Judicature at Hyderabad For the State of Telangana and the State of Andhra Pradesh in W.P.No.15848 of 2015 & batch dated 31-12-2018”.

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.33 of 2017
FOR ORDERS
M/s. NSL Sugars Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri M. Sridhar, Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao,

learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Orders are not ready. For orders, the matter is posted to 23-03-2019.

Call on: 23-03-2019
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

O.P.No.34 of 2017
FOR ORDERS

M/s. NSL Sugars (Tungabhadra) Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri M. Sridhar, Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Orders are not ready. For orders, the matter is posted to 23-03-2019.

Call on: 23-03-2019
at 11:00 AM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN