

RECORD OF PROCEEDINGS DATED 13-09-2022

OP No. 32 of 2014

(Suo motu Petition in the matter of Determination of Variable Cost for the period from 01-4-2014 to 31-3-2019 in respect of the Existing plants based on Non-Conventional Energy (NCE) sources in the State of Andhra Pradesh)

(On remand from APTEL by Common Order dated 8-3-2022 passed in Appeal Nos.284 of 2014 and 297 of 2014) - (Appeal 250 of 2014 and batch)

O.P.Nos.11 of 2010, 18, 19,48, 49 and 57 of 2013 & 23, 30 and 26 of 2014

(Petitions filed for determination of fixed cost component of tariff in respect of different biomass based power projects, which have completed 10 years of their operation from the date of commencement of their respective projects)

(On remand from APTEL by Common Order dated 8-3-2022 passed in Appeal 250 of 2014 and batch)

Sri K.Gopal Chowdary, learned counsel for the Developers/petitioners and Sri P.Shiv Rao, learned standing counsel for the Power Utilities, are present at the hearing.

Sri K.Gopal Chowdary, learned counsel for the Developers submitted that the issues of fixation of fuel price and escalation arise only in *suo motu* O.P.No.32 of 2014 and that the other O.Ps., need not be adjudicated. He has further submitted that the Developers arrayed at Sl.Nos.2,10,12,14 and 16 (appellants in Appeal No.284 of 2014) relating to Biomass and the Developers 7 and 9 (appellants in Appeal No.297 of 2014) relating to Bagasse are situated in Telangana State, which do not fall within the jurisdiction of this Commission. The learned counsel further submitted that as he is appearing for Biomass Energy Developers Association, he will seek instructions and also instruct his clients to inform all the other developers in the O.P, who are members of the Association, about the hearing before this Commission.

As some of the Developers were not served with the Notices, Office shall send fresh notices to all the Developers, other than those who are situated in the Telangana State, as pointed above.

As it has come out that the original file in O.P.No.32 of 2014 is not available in the Commission's office, Sri P.Shiva Rao, learned Standing Counsel for the Power Utilities, has undertaken to submit all the available papers in O.P.No.32 of 2014 and furnish a list of such documents to Sri Gopal Chowdary. Sri Gopal Chowdary, learned counsel for the Developers, has also undertaken that, on verification of such list, if any documents forming part of O.P.No.32 of 2014 are

found missing, they will be submitted by him. All this exercise shall be completed within three weeks from today.

Call on 14-10-2022 for hearing. Meanwhile, all parties can submit their brief written versions, after exchanging them among themselves.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR