

Record of proceedings dated 14-08-2018

Procurement of 400 MW Power from M/s. Simhapuri Energy Limited for a period of 12 years against 1000 MW Bids using imported coal from captive mines as fuel under long term by APSPDCL under DBFOO bidding - Approval for tariff adoption under Section 63 of the Electricity Act 2003.

FOR ORDERS

Sri K. Gopal Choudary, learned counsel for M/s. Simhapuri Energy Limited and G.V. Brahmananda Rao, learned counsel representing Sri P. Shiva Rao, learned Standing Counsel for APSPDCL are present.

Orders are pronounced (*vide separate order*)

“Under the circumstances, the request of the distribution licensees of Andhra Pradesh through the Andhra Pradesh Power Coordination Committee in their letter dated 13-12-2016 for adoption of tariff on the strength of the copy of the Power Supply Agreement submitted to the Commission has to be accepted in exercise of the powers and jurisdiction conferred under Section 86 (1) (b) and Section 63 of the Electricity Act, 2003.

Therefore, the Commission adopts the tariff determined through a transparent competitive bidding process in accordance with the guidelines issued by the Government of India and accepted by the procurer leading to the Power Supply Agreement initialled by the procurer and the supplier under Section 63 of the Electricity Act, 2003 read with Section 86 (1) (b) thereof, without any fresh deviation to the bidding documents, which already stood approved by the Commission before the beginning of the bidding process. However, such adoption of tariff will be subject to any reconsideration or review by the Commission, if found required and permissible under the competitive bidding process governing the procurement, mandatory guidelines of the Government

of India and the provisions of the Electricity Act, 2003, the Andhra Pradesh Electricity Reform Act, 1998 and the Rules and Regulations made there-under either *suo-motu* or on an appropriate application in accordance with law moved before the Commission from time to time. The adoption of the tariff hereunder will not disable the supplier from voluntarily reducing such tariff payable by the utility under the Power Supply Agreement in the larger interests of the State, Power Sector and the Consumers.

The proceedings are ordered accordingly. No costs.

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN