

**Record of Proceedings Dated 16-08-2023**

**OP No. 57 of 2023**

**M/s. ITC Limited Vs. APTRANSCO and APSLDC**

(Petition filed under Section 86(1)(f) of the Electricity Act, 2003 read with Clause 21 of the APERC (Terms and Conditions of Open Access ) Regulation 2005 and Clause 11 of the APERC (Levy and Collection of fees and charges by State Load Dispatch Centre) Regulation 2006, to direct the Respondents to process the Short Term Open Access applications of the Petitioner.

\*\*\*

Sri Deepak Chowdary, counsel representing Sri Challa Gunaranjan, learned Counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Counter-affidavit is filed by respondent No.2. Sri P.Shiva Rao submitted that respondent No.1 intends to adopt the same counter-affidavit.

Sri Deepak Chowdhary requested three weeks' time for filing rejoinder. Time is, accordingly, granted.

Call on 13-9-2023.

**Sd/-**  
**MEMBER/PVRR**

**Sd/-**  
**CHAIRMAN**

**Sd/-**  
**MEMBER/TRS/**

**OP No. 29 of 2023**

**M/s Hetero Wind Power (Pennar) Pvt. Ltd, Vs. APSPDCL & APPCC**

(Petition filed under Sections 86(1)(f) and (e) of the Electricity Act, 2003 read with Clause-8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 (as Amended), read with Article 5 and Clause 5.2 of the Power Purchase Agreements dated 16.03.2016 ("PPAs") entered into between the Petitioner and APSPDCL, seeking directions to the APSPDCL for expeditiously releasing the amounts due and payable to the Petitioner under the PPAs towards Late Payment Surcharges (LPS)

**&**

**OP No. 30 of 2023**

**M/s Hetero Wind Power Pvt. Ltd Vs. APSPDCL & APPCC**

(Petition filed under Sections 86(1)(f) and (e) of the Electricity Act, 2003, read with. Clause-8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business)

Regulations, 1999 (as Amended), read with Article 5 and Clause 5.2 of the Power Purchase Agreements dated 18.12.2014 (PPAs) entered into between the Petitioner and APSPDCL, seeking directions to APSPDCL for expeditiously releasing the amounts due and payable to the Petitioner under the PPAs towards Late Payment Surcharges (LPS)

\*\*\*

Sri S.Vivek Chandrasekhar, learned Counsel for the Petitioners; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Counter-affidavits are filed.

Sri S. Vivek Chandra Sekhar requested time for filing rejoinders. Time is, accordingly, granted.

Call on 27-9-2023.

**Sd/-**  
**MEMBER/PVRR**

**Sd/-**  
**CHAIRMAN**

**Sd/-**  
**MEMBER/TRS/**

**OP No. 33 of 2022**

**APTRANSCO Vs. M/s Bharath Wind Farms Ltd.& others**

(Petition filed against the non-conventional energy developers, such as, wind, biomass, bagasse, mini hydel etc., entered into "Power Wheeling and Purchase Agreement, (hereinafter referred to as PWPA) with the Petitioner at 33KV grid level, for payment of transmission charges)

\*\*\*

Sri P.Shiva Rao, learned Standing Counsel for the petitioner; Sri Sricharan Telaprolu, learned counsel for Respondent No.4, 5 & 6; Sri Deepak Chowdary, learned counsel for respondents 9,10 and also representing Sri K.Gopal Chowdary, learned counsel for the Respondents Nos. 8 & 18; are present at the hearing.

Sri P. Shiva Rao submitted that based on the relevant data, three Developers discharged their liability and that the petitioner-APTRANSCO is in the process of negotiating with other Developers so as to arrive at an

amicable understanding. He requested two months' time for reporting outcome of the negotiations.

Sri Deepak Chowdary and Sri Sricharan Telaprolu, learned counsel representing some of the respondents, submitted that, on the threat of withholding Open Access, the petitioner is seeking to collect the disputed charges.

Sri P.Shiva Rao, however, submitted that he will appropriately advise the petitioner in this regard.

Call on 11-10-2023.

Sd/-  
MEMBER/PVRR

Sd/-  
CHAIRMAN

Sd/-  
MEMBER/TRS/

**OP No. 117 of 2021**  
**Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL**  
**and**  
**OP No. 118 of 2021**

**Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL**

(Petitions 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 APSLDC/Respondent No.1 and sought appropriate orders, *inter alia*, against the Respondents not to issue curtailment instructions and direct them to pay the amounts due towards deemed generation)

\*\*\*

Sri Sarath Chandupatla, counsel representing Sri Hemant singh, learned counsel for the petitioner; Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Sri Sarath submitted that his client intends to file its response to the data furnished by the respondents with reference to the FOR Guidelines. He requested three weeks' time for this purpose.

Sri P. Shiva Rao submitted that negotiations, so far held, have failed; and that the Developers, including the petitioner, have been invited for further negotiations.

In the light of the above, the OPs., are adjourned to 11-10-2023.

**Sd/-  
MEMBER/PVRR**

**Sd/-  
CHAIRMAN**

**Sd/-  
MEMBER/TRS/**

**OP No. 18 of 2022**

**M/s.Vayu Urja Bharat Pvt Ltd., Vs. APSPDCL**

**OP No. 113 of 2021**

**M/s Vayu (India) Power Corporation Ltd Vs. APTRANSCO, APPCC & APSPDCL**

**OP No. 3 of 2022**

**New Era Enviro Venture (Mahabubnagar) Pvt. Ltd., Vs. APSPDCL**

**OP No. 4 of 2022**

**M/s Aeolus Wind Parks Pvt. Ltd. Vs. APSPDCL & APPCC**

**OP No. 5 of 2022**

**M/s Danu Wind Parks Private Limited Vs. APSPDCL & APPCC**

**OP No. 6 of 2022**

**M/s Danu Wind Parks Private Limited Vs. APSPDCL & APPCC**

**OP No. 7 of 2022**

**M/s Dindore Wind Parks Private Limited Vs. APSPDCL & APPCC**

**OP No. 8 of 2022**

**M/s Fujin Wind Parks Private Limited Vs. APSPDCL & APPCC**

**OP No. 12 of 2022**

**M/s Palnadu Solar Power Pvt Ltd., Vs. APCPDCL & APPCC**

**OP No. 22 of 2022**

**M/s Vayu Urja Bharat Pvt Ltd.,Vs. APSPDCL**

**OP No. 89 of 2021**

**M/s. Mytrah Vayu (Pennar) Private Limited Vs. APSPDCL & APPCC**

**OP No. 64 of 2021**

**M/s. Khandke Wind Energy Pvt Ltd Vs. APSPDCL**

**OP No. 30 of 2020**

**M/s. Tadas Wind Energy Pvt. Ltd Vs. APSPDCL**

(Petitions filed under sections 86(1)(f) and (e) of the Electricity Act, 2003, read with Clause-8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 (as Amended), read with Article 5 and Clause 5.2 of the Power Purchase Agreements (PPAs) entered into between the petitioners and APSPDCL, seeking directions to APSPDCL for expeditiously releasing the payments

due and payable to the Petitioners/Applicants by APSPDCL under the PPA towards  
Late Payment Surcharge (LPS)

\*\*\*

Sri Aman Shaikh counsel representing Sri Aniket Prasoon, learned counsel for the petitioners in OP Nos.113 of 2021, 18 and 22 of 2022; Sri A.V.V.R.Sudheer, General Manager (Legal), representing Sri Dipan Bhuptani and Sri V.Akshaya Babu, learned counsel for the Petitioners in OP Nos.3 of 2022, 30 of 2020 and 64 of 2021; Sri S.Vivek Chandrasekhar, learned counsel for the Petitioners in OP No.4,5,6,7 and 8 of 2022; Sri Deepak Chowdary, learned counsel for the Petitioners in OP Nos.12 of 2022 and 89 of 2021; and Sri P.Shiva Rao, learned standing counsel for the respondents, are present at the hearing.

Sri Vedula Srinivas, learned Senior Counsel, submitted that he is appearing for the respondents in all these cases.

Sri S.Vivek Chandra Sekhar, learned counsel for the petitioners in some of the OPs, submitted that negotiations between the parties holdout hopes of some settlement; and that another round of negotiations is scheduled shortly. He requested three weeks' time for reporting the result.

Sri Deepak Chowdary, learned counsel for the Petitioners in OP Nos.12 of 2022 and 89 of 2021, submitted that negotiations were not fruitful in his clients' cases.

Since, more or less, common issues are involved in all these cases, we intend to hear and dispose of these cases together. As some hope is expressed for an amicable settlement, at least in some of the matters, we are

inclined to adjourn the hearing of these cases to await the result of the negotiations.

Call on 11-10-2023.

**Sd/-**  
**MEMBER/PVRR**

**Sd/-**  
**CHAIRMAN**

**Sd/-**  
**MEMBER/TRS/**