

Record of proceedings dated 16-12-2020

O.P.No.53 of 2019
APPDCL Vs APSPDCL & APEPDCL

Petition u/s 62 of the Electricity Act, 2003 for determination of tariff for the control period FY 2019-2024 for the electricity supplied by APPDCL from SDSTPS to the Distribution Licensees in Andhra Pradesh

R.P.No.2 of 2019 in O.P.No.47 of 2018
APPDCL Vs APSPDCL & APEPDCL

Petition u/s 94 (1) (f) of the Electricity Act, 2003 praying for review of the order dated 02/03/2019 passed in O.P. 47 of 2017 for determination of tariff from 02/05/2015 to 31/03/2019 for the electricity supplied by APPDCL from SDSTPS to the Distribution Licensees in Andhra Pradesh

R.P.No.1 of 2020 & I.A.No.17 of 2020 in O.P. No.47 of 2017
APSPDCL & APEPDCL Vs APPDCL

Petition U/s. 94 (1)(f) of the E.A. Act, 2003 r/w Regulation 8 of 2004 APERC (Conduct of Business), 1999 seeking review of the order dated 02-03-2019 passed in OP.No. 47 of 2017 for determination of Tariff from 02-05-2015 to 31-03-2019 for the electricity supplied by APPDCL from SDSTPS to the distribution licensees in AP

Application for condonation of delay in filing review petition in O.P.No.47 of 2017

Sri K. Gopal Choudary, learned counsel for the APPDCL and Sri P. Shiva Rao, learned Standing Counsel for AP Discoms are present at the web hearing.

As these cases are posted for final hearing, due to non-presence of one of the members, the Commission is not able to take up the cases for hearing. Hence the cases are adjourned to 24-02-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

O.P.No.31 of 2020
APPDCL Vs. APSPDCL & APEPDCL

Petition u/s 86 (1) (f) r/w Section 62 for resolving the issues in the matter of operational parameters and variable cost for sub-critical and super-critical operation for procurement of power from 2 x 800 MW Sri Damodaram Sanjeevaiah Thermal Power Station (SDSTPS)

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present at the web hearing.

Sri K. Gopal Choudary requested for further time for filing rejoinder. Two weeks' time is accordingly granted. Call on 10-03-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

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

Ms. Samykya Mukku, 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.

Ms. Samykya Mukku, learned counsel for the petitioners requested for two more weeks' time for filing rejoinder. Call on 10-03-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

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, Ms. Priya Dhankar & Ms. Akanksha Tanvi, learned counsel for the petitioner in O.P.No.74 of 2019 & Sri Sanjay Sen, learned senior counsel, Sri Puneet Jain, Ms. Mandakini Ghosh, Sri Aniket Prasoon, Ms. Priya Dhankar & Ms. Akanksha Tanvi, learned counsel for the petitioner in O.P.No.61 of 2019 and Sri P. Shiva Rao, learned Standing Counsel for the utilities/AP Discoms are present at the web hearing.

As these O.P.s are posted for final hearing, due to non-presence of one of the members, the Commission is not able to take up the cases for hearing. Meanwhile Sri Aniket Prasoon, learned counsel is permitted to address a letter to the learned Standing Counsel for the respondents requesting for production of the relevant data before the Commission relating to energy curtailment. Call on 10-03-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

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, Sri Aniket Prasoon & Ms. Priya Dhankar, 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, learned Standing Counsel submitted that in compliance with the order dated 08-07-2020, the entire amount of Rs.73 crores has been paid by 14-12-2020 and that application for condonation of delay in paying the said amount

has been filed before this Commission. Sri Aniket Prasoon, learned counsel for the petitioner submitted that an amount of Rs.136.19 crores is liable to be paid upto October, 2020. However, according to Sri P. Shiva Rao, an amount of Rs.67 crores is liable to be paid and that due to bad financial position, the respondents are not able to make further payment and that however, he will seek instructions on this aspect. Call on 27-01-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

O.P.No.43 of 2020
APPDCL Vs APSPDCL, APEPDCL, APCPDCL, APTRANSCO & APGENCO

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute relating to payment of Fixed Charges to APPDCL upon diversion of Flexi coal from RTPP - I & III Stages of APGENCO to SDSTPS / Stage-I of APPDCL during FY2018-19 & 2019-20

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Counter Affidavit is filed. Sri K. Gopal Choudary, learned counsel for the petitioner requested for time for filing rejoinder. Call on 07-04-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN