

Record of proceedings dated 17-03-2020

O.P.No.46 of 2017

APSPDCL & APEPDCL Vs APGENCO & A.P. Solar Power Corporation Ltd

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for approval of long term Power Purchase Agreement (PPA) signed by APDISCOMs with APGENCO on 01-07-2017 and to pass orders regulating the price for purchase of 400 MW solar power generated from the Ananthapuram-II Ultra Mega Solar Park proposed at Talaricheruvu (V), near Tadipatri, Anantapuramu Dist AP@ the tariff of Rs.3.57/kWh

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri Naveen Gowtham, CE from APGENCO and Sri M. Venugopala Rao, learned objector are present.

A letter dated 16-03-2020 has been addressed by Principal Secretary to Government, Revenue (Lands) Department, Government of Andhra Pradesh requesting the Commission giving “a long adjournment”. A perusal of the proceeding sheet shows that the case has been adjourned time and again to enable the Government to consider revision of land price, so that the benefit of lower tariff will be passed on to the consumers. From the manner in which the official machinery of the Government is responding to the Commission’s request, the Commission is convinced that they are not showing the desired interest in considering revision of land value. As the issue relates to fixation of tariff which does not brook undue delay, the Commission does not feel it fit to grant such a long adjournment. In view of the fact that APGENCO is not represented by its counsel, we have perforce to adjourn the case. Meanwhile the Principal Secretary to Government, Revenue (Lands) Department, Government of Andhra Pradesh may do the needful as assured by her. Call on 23-06-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.4 of 2020

Petition filed by APSPDCL under Section 42 (2), 66 & 94 (2) of the Electricity Act 2003, Clause No. 24.2 & 26 of APERC Regulation 2 of 2005 seeking amendment to the APERC Terms and Conditions of Open Access Regulation, 2005 (Regulation No.2 of 2005) and its amendment i.e., Regulation 1 of 2016, for withdrawal of incentives given to the Group captive Open Access generators and Open Access consumers

O.P.No.5 of 2020

Petition filed by APSPDCL under Section 42 (2), 66 & 94 (2) of the Electricity Act 2003 Clause 15 of APERC Regulation 2 of 2006 seeking amendment to Interim Balancing and Settlement Code for Open Access Transactions (Regulation No. 2 of 2006) with plea to abolish the banking facility for open access RE generators and open access consumers

O.P.No.16 of 2020

Petition filed by APEPDCL under Section 42 (2), 66 & 94 (2) of the Electricity Act 2003 Clause 15 of APERC Regulation 2 of 2006 seeking amendment to Interim Balancing and Settlement Code for Open Access Transactions (Regulation No. 2 of 2006) with plea to withdraw the banking facility for open access RE generators and open access consumers.

Sri P. Shiva Rao, learned Standing Counsel for the petitioner; Ms. Mazag Andrabi, learned counsel for Atria Wind Power Private Limited; Sri. Challa Gunaranjan, Advocate; Sri N. Jeevan Kumar, learned counsel representing Sri P. Vikram, learned counsel for SEI Sriram Power and Sri M. Venugopalarao, learned objectors are present.

It has been brought to the notice of the Commission that similar if not identical petition i.e., O.P.No.3 of 2020 stood posted to 07-04-2020. Hence, this petition is also adjourned to be heard along with O.P.No.3 of 2020. Call on 07-04-2020

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.18 of 2019

M/s. Satya Maharshi Power Corporation Limited Vs APTRANSCO & 6 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 seeking directions to the 2nd Respondent to pay the fixed costs of Rs.54,25,085/- on deemed generation at Rs.1.37/- per unit from 09-06-2017 to 18-07-2017 at 80% PLF and damages incurred during the period of stoppage to the applicant company with interest at 18%

O.P.No.19 of 2019

M/s. SLS Power Limited Vs APTRANSCO & 6 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 seeking directions to the 2nd Respondent to pay the fixed costs of Rs.71,88,480/- on deemed generation at Rs.1.56/- per unit from 09-06-2017 to 18-07-2017 at 80% PLF and damages expenses of Rs.22,00,000/- incurred during the period of stoppage to the applicant company with interest at 18%

O.P.No.20 of 2019

M/s. Sree Venkata Sreedevi Power LLP Vs APTRANSCO & 6 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 seeking directions to the 2nd Respondent to pay the fixed costs of Rs.65,89,440/- on deemed generation at Rs.1.43/- per unit from 09-06-2017 to 18-07-2017 at 80% PLF and damages, expenses of Rs.21,40,000/- incurred during the period of stoppage to the applicant company with interest at 18%

Sri S.V. Ramana, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

At the request of the learned counsel for the petitioner, call on 21-04-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.6 of 2020

M/s. Spectrum Power Generation Ltd Vs APSPDCL, APEPDCL & APTRANSCO

Petition under Section 86 (1)(f) of the Electricity Act, 2003 read with Clause (55) of APERC (Conduct of Business) Regulations seeking recovery of rebate (2.5%) deducted by DISCOMs in payment of monthly energy bills

Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

None appeared for the petitioner. Sri P. Shiva Rao, learned Standing Counsel for the respondents / utilities requested for time for filing counter affidavit. Call on 21-04-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.9 of 2020

M/s. Vibrant Greentech India Pvt Ltd. Vs APSPDCL & 2 others

Petition U/Sec. 86(1)(b) r/w 86 (1) (f) of the Electricity Act, 2003 R/w APERC (Conduct of Business) Regulations, 1999 to direct the APSPDCL to act upon the PPA dt.30-03-2017 entered into with the petitioner for purchase of power from its 4.25 MW wind power project and to direct to pay for the power generated and supplied from the petitioner's project, for the period from the date of COD i.e., 30-03-2017 onwards along with interest and to direct APSPDCL to open irrevocable revolving letter of credit as per Article 5.4 of PPA dated 30-03-2017

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri P. Shiva Rao, learned Standing Counsel for the respondents / utilities requested for time for filing counter affidavit. Call on 21-04-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.10 of 2020

Garrison Engineer (P), Navy Kalinga, Bheemunipatnam Vs APEPDCL & 2 others

Petition U/Sec. 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 R/w Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 seeking permission for the establishment of 2 MW solar rooftop power plant under net metering

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri P. Shiva Rao, learned Standing Counsel for the respondents / utilities requested for time for filing counter affidavit. Call on 24-03-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.11 of 2020

M/s. Ultra Tech Cement Ltd Vs APSLDC

Petition filed U/S 86 of the Electricity Act, 2003 read with the APERC Renewable Power Purchase Obligation (Compliance by Purchase of Renewable Energy / Renewable Energy Certificates) Regulations, 2017 seeking appropriate directions to the effect that power consumed by the petitioner from its Waste Heat Recovery Boiler Power Plants (WHRS) is to be accounted for setting off its Renewable

Purchase Obligations (RPO) towards its electricity consumption from conventional energy sources

Sri Rajesh Kumar representing the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Sri P. Shiva Rao, learned Standing Counsel for the respondents / utilities requested for time for filing counter affidavit. Call on 05-05-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.4 of 2020 IN O.P.No.18 of 2020
M/s. Khandaleru Power Company Ltd Vs APSPDCL & 3 others

Application is filed seeking direction to the respondents to restore the Service Connection No.NLR-842 of the petitioner's project situated at Khandaleru Reservoir, Khandaleru, Nellore District, enabling it to generate and supply power and to further record the monthly meter readings of the project.

The Interlocutory Application accordingly stands disposed of vide separate order.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.18 of 2020
M/s. Khandaleru Power Company Ltd Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation, 1999, seeking adoption of tariff discovered through competitive bidding for procurement of 6 MW capacity power from the petitioner's Mini Hydel Project at Khandaleru Reservoir, Khandaleru, Nellore District in terms of the PPA dated 16-02-2019,

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri P. Shiva Rao, learned Standing Counsel for the respondents / utilities requested for time for filing counter affidavit. Call on 23-06-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR