

Record of proceedings dated 19-01-2019

Public hearing in the matter of Amendment of APERC Regulation No. 2 of 2016 of the Principal Regulation No 2 of 2006 (Interim Balancing & Settlement Code)

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the Andhra Pradesh Distribution Companies. For orders, the matter is posted to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.2 of 2017
M/s. Richmond Power Pvt. Ltd. Vs APEPDCL

Petition filed u/s 86 (1) (a) of the Electricity Act, 2003 r/w Regulation 55 [Saving of inherent power of the Commission] of the APERC (Conduct of Business) Regulations, 1999

Sri M. Abhinay Reddy, learned counsel representing Sri P. Vikram, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for the respondent and Sri M. Venugopala Rao, learned objector are present.

Additional submissions on behalf of the respondent along with a copy of the Minutes of the Committee constituted by the State Government dated 22-11-2018 are filed. The petitioner stated that he has no objection to the report of the Committee. For response of the objectors at request of Sri M. Venugopala Rao, learned objector, the matter is posted to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.8 of 2018
APSPDCL & APEPDCL Vs M/s. Lanco Kondapalli Power Ltd

Public hearing on the petition filed u/s 86 (1) (b) of the Electricity Act, 2003 seeking renewal of PPA with M/s. Lanco Kondapalli Power Ltd.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the respondent and Sri M. Venugopala Rao, learned objector are present.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners reported that he did not receive any further instructions on the steps to be taken in the matter of withdrawal of the petition or otherwise and therefore desired the matter to be dealt with on merits by the Commission. Hence, for hearing at request, the matter is posted to 23-02-2019.

Call on:

23-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

Public hearing on Load Forecasts, Resource Plans, Investment Plans and State Electricity Plan

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri K. Gopal Choudary, learned *Amicus Curiae* and Sri M. Venugopala Rao, learned objector are present.

Sri P. Shiva Rao, learned Standing Counsel for the utilities filed a Note along with a covering letter stating the relevant information concerning the alignment of ARR and FPT proposals with the model presented on 22-12-2018. For response of the learned *Amicus Curiae* and the learned objectors and for hearing, the matter is posted to 25-01-2019.

Call on:

25-01-2019
at 2:00 PM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

Public hearing on Load Forecasts, Resource Plans and State Electricity Plan for 4th control period (FY2019-20 to FY2023-24) and 5th control period (FY2024-25 to FY2028-29)

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri K. Gopal Choudary, learned *Amicus Curiae*, Sri A. Sreekanth representing M/s. KSK Mahanadi Power Company Limited and Sri M. Venugopala Rao, learned objectors are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, for compliance with the directions on 29-12-2018, the matter is posted to 25-01-2019.

Call on: 25-01-2019
at 2:00 PM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

In the matter of First Amendment to existing Regulation APERC (Terms and Conditions for Determination of Tariff for Transmission of Electricity) Regulation, 2005 (Refer public notice dated 09-10-2018 on the above draft Regulation)

Sri P. Shiva Rao, learned Standing Counsel for AP Transco and Sri M. Venugopala Rao, learned objector are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for AP Transco and Sri M. Venugopala Rao, learned objector. For orders, the matter is posted to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

I.A.No.12 of 2017 in O.P.Nos.1 & 2 of 2015
FOR ORDERS
APSPDCL & APEPDCL Vs GoAP

Petition seeking approval of the Commission for true-up for FY 2015-16 pertaining to the increase in power purchase costs and additional subsidy required from GoAP towards additional sales to agricultural consumers during FY 2015-16

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M. Venugopala Rao, learned objector are present.

Orders are not ready. For orders, the matter is posted to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

Public hearing in the matter of Third Amendment to APERC (Supply Code)
Regulation, 2004 (Regulation No.5 of 2004)

Sri P. Shiva Rao, learned Standing Counsel for APEPDCL & APSPDCL, learned
objector is present.

Orders are not ready. For orders, the matter is posted to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

Public hearing in the matter of Second Amendment to APERC (Security Deposit)
Regulation, 2004 Regulation No. 6 of 2004

Sri P. Shiva Rao, learned Standing Counsel for APEPDCL & APSPDCL, learned
objector is present.

Orders are not ready. For orders, the matter is posted to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

Public hearing in the matter of Fourth Amendment to APERC (Interim Balancing &
Settlement Code for Open Access Transactions) Regulation, 2016 Regulation No. 2
of 2016

Sri P. Shiva Rao, learned Standing Counsel for APTRANSCO and Sri Challa
Gunaranjan, learned counsel for A.P. South Indian Sugar Mills Association, learned
objectors are present.

Orders are not ready. For orders, the matter is posted to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.12 of 2018
M/s. ITC Limited Vs APSPDCL & 2 others

Petition under Section 86(1) (f) of the Electricity Act, 2003 for recovery of various amounts towards delayed payment surcharge from the APDISCOMs with respect to supply of wind power against order in Lr. No. CE / Comml / APPCC / SE / Comml / F-ITC / D.No. 399 / 16 dated 30-05-2016.

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

At request, the matter is posted to 23-02-2019.

Call on: 23-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.49 of 2017
M/s. Southern Rocks & Minerals Pvt. Ltd Vs APSLDC & 2 others

Petition under Section 86(1) (f) of the Electricity Act, 2003 r/w Clause 15 of Regulation 2 of 2006 & APERC (Conduct of Business) Regulations, 1999 to declare the date of commissioning of its solar plant (1.03 MW) as 16-06-2016 and to extend the benefits and incentives provided under G.O.Ms.No.8 dated 12-02-2015 as adopted in Regulation No.1 of 2016 & Regulation No. 2 of 2016 by allowing banking facility and scheduling of energy enabling petitioner to utilize the same for its captive use

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

At request, the matter is posted to 23-02-2019.

Call on: 23-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.9 of 2018

M/s. Manihamsa Power Projects Limited & Knowledge Infrastructure Systems Pvt.
Ltd Vs APPCC, APEPDCL & APSPDCL

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC
(Conduct of Business) Regulations, 1999 (Regulation 2 of 1999) claiming for
payment of balance amount in terms of the Purchase Order dt.04-06-2012 for the
period 01-07-2012 to 30-05-2013 which is illegally withheld by respondents
purported to be on account of disproportionate allocation of water among Stage I & II
units of the 1st petitioner

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

At request, the matter is posted to 23-02-2019.

Call on:

23-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.11 of 2018

M/s. ITC Limited Vs APSPDCL & 3 others

Petition under Sections 86(1) (f) and 62 (6) of the Electricity Act, 2003 for recovery
of various amounts towards delayed payment surcharge, interest, reimbursements
and / or refunds from the APDISCOMs with respect to supply of wind power against
order in Lr. No. CE / Comml / APPCC / SE / Comml / F-ITC / D.No. 377 / 14 dated
04-12-2014.

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

At request, the matter is posted to 23-02-2019.

Call on:

23-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.57 of 2014 & I.A.No.8 of 2015

Sardar Power Pvt Ltd Vs APEPDCL

Petition filed for determination of capital cost and consequent re-determination of
tariff for the first 10 years of operation with effect from 17.07.2008 (being COD of the
project) pursuant to the Judgment of Hon'ble ATE dt. 20.12.2012 in Appeal No. 172
of 2011 and batch

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

At request, the matter is posted to 23-02-2019.

Call on:

23-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.33 of 2017
FOR ORDERS
M/s. NSL Sugars Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Orders are not ready. For orders, the matter is posted to 02-02-2019.

Call on:

02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.34 of 2017
FOR ORDERS
M/s. NSL Sugars (Tungabhadra) Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Orders are not ready. For orders, the matter is posted to 02-02-2019.

Call on:

02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.12 of 2008

GVK Industries Ltd Vs Eastern Power Distribution Company of Andhra Pradesh Ltd
& others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 in respect of certain claims
amounting to Rs. 262 crs

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao,
learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao,
learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench
of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the
specific direction given in W.P.No.35386 of 2016 covering this petition is that this
Commission shall transfer this petition to the Central Electricity Regulatory
Commission. Hence, the record duly indexed be forwarded to the Central Electricity
Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.19 of 2009

APTRANSCO & others Vs GVK Industries Ltd

Petition u/s 86 of the Electricity Act, 2003 seeking calculation of interest on working
capital for computation of fixed charges, limiting the working capital amount to the
actual borrowings

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri M. Naga
Deepak, learned counsel for the respondent are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri
M. Naga Deepak, learned counsel for the respondent. In the order of the Hon'ble
Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated
31-12-2018, the specific direction given in W.P.No.35386 of 2016 covering this

petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.33 of 2009
Lanco Kondapalli Power Ltd Vs APPCC & others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 claiming capacity charges payable by the respondents and also interest payable thereon

Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.42 of 2009 & I.A.No.4 of 2010
Lanco Kondapalli Power Ltd Vs APPCC & 5 others

Petition u/s 62, 86 (1) (f) of the Electricity Act, 2003 claiming finance and procurement costs payable by the respondents together with interest thereon and I.A. No. 4 of 2010 filed by the respondents

Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.57 of 2011
APTRANSCO Vs Spectrum Power Generation Ltd

Petition u/s 86 (1) (b) of the Electricity Act, 2003 seeking deletion of usage of Naptha as supplementary fuel and others as alternate fuel

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri M. Naga Deepak, learned counsel for the respondent are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri M. Naga Deepak, learned counsel for the respondent. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.70 of 2012
Central Power Distribution Company of Andhra Pradesh Ltd (now TSSPDCL) &
others Vs GMR Vemagiri Power Generation Ltd

Petition filed by the petitioners requesting the Commission to ascertain the losses of respondent, if any, and to fix up the rate of additional fixed charges and the period for truing-up to make good of the alleged losses if any, after duly considering the claim of petitioners for extension of PPA period and to issue consent to the proposed amendments as per the Commission orders dt.05.12.2009 to the amended agreement to the PPA dt.02.05.2007 and 18.06.2003

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.38137 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to

the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.71 of 2012

GMR Vemagiri Power Generation Ltd Vs Central Power Distribution Company of Andhra Pradesh Ltd (now TSSPDCL) & others

Petition u/s 86 (1) (b) of the Electricity Act, 2003 seeking consent of the Commission to the amendments to the PPA as proposed by the parties in terms of order dt.05.12.2009. However, in its order dt.27.08.2012 in O.P (SR) No. 71 of 2011, Commission decided to ascertain losses of the petitioner, if any, in the first instance.

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.38163 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.72 of 2012

GMR Vemagiri Power Generation Ltd Vs Central Power Distribution Company of Andhra Pradesh Ltd (now TSSPDCL) & others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 claiming compensation of Rs.447 crs (on NPV basis as on COD) towards loss of Capacity Charges for the period upto 10.04.2009

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35039 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.79 of 2012

Reliance Infrastructure Ltd Vs Central Power Distribution Company of Andhra Pradesh Ltd (now TSSPDCL) & others

Petition u/s 86 (1) (f) of Electricity Act, 2003 seeking to restrain the DISCOMs from deducting from the monthly bills amounts towards deemed generation

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

None appeared for the petitioner. Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. A copy of the letter filed by the learned counsel for the petitioner before the Commission dated 15-01-2019 received on 17-01-2019 be served on the learned Standing Counsel for the utilities by the office of the Commission. The matter is not covered by any of the Writ Petitions disposed of by the common order dated 31-12-2018 of the Hon'ble Division Bench of the Hon'ble High Court and hence the learned Standing Counsel for the utilities sought for time for examining and submitting about the applicability of the principles laid down by the Hon'ble Division Bench to this matter. Hence, the matter is posted for hearing to 02-02-2019.

Call on:

02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.85 of 2012

Lanco Kondapalli Power Ltd Vs Andhra Pradesh Power Coordination Committee
(APPCC) & others

Petition u/s 86 (1) (f) for reimbursement of Minimum Fuel Off-take Charges and other
fuel transportation charges being part of monthly bills

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

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the
petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities.

Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015
& batch on 31-12-2018 on the question of jurisdiction, it is represented that this
petition is not covered by any of the Writ Petitions disposed of by the common
order and hence, the Commission has to hear on the applicability of the
principles laid down by the Hon'ble Division Bench to this petition and decide
the further course of action in compliance with the directions of the Hon'ble High
Court and in accordance with law. Therefore, for further hearing, the matter is
posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.8 of 2013 & I.A.No.1 of 2013

GVK Gautami Power Ltd Vs Central Power Distribution Company of Andhra Pradesh
Ltd (now TSSPDCL) & others

Petition u/s 86 (1) (f) Electricity Act, 2003 seeking declaration that the petitioner is
required to be compensated for capacity charges, transportation charges and
imbalance charges.

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao,
learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35401 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.9 of 2013 & I.A.No.2 of 2013
GVK Industries Ltd Vs Central Power Distribution Company of Andhra Pradesh Ltd
(now TSSPDCL) & others

Petition u/s 86 (1) (f) Electricity Act, 2003 seeking declaration that the petitioner is required to be compensated for capacity charges, transportation charges and imbalance charges.

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35386 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.12 of 2013
GMR Vemagiri Power Generation Ltd Vs Andhra Pradesh Power Coordination
Committee (APPCC) & others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 seeking reimbursement of minimum
fuel off take charges and other transportation charges from the respondents

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35386 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.23 of 2013
GVK Industries Ltd Vs Eastern Power Distribution Company of Andhra Pradesh Ltd
(APEPDCL) & others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 seeking to recover several amounts
due to it under various provisions of the PPA

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35386 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity

Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.24 of 2013 & I.A.No.14 of 2013
GVK Industries Ltd Vs Central Power Distribution Company of Andhra Pradesh Ltd
(now TSSPDCL) & others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes between the parties and the IA also filed by the petitioner for interim orders.

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35386 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P. (SR) No.25 of 2013 & IA (SR) No.80 of 2013
RVK Energy Pvt. Ltd Vs Andhra Pradesh Power Coordination Committee (APPCC)
& others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for claim for price of the power supplied by the petitioner to Andhra Pradesh Power Coordination Committee (APPCC)

I.A. filed by the petitioner u/s 94 of the Act

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

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.51 of 2013

Penna Cement Industries Ltd Vs Transmission Corporation of Andhra Pradesh Ltd
(APTRANSCO) & others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 seeking to recover the amount
Rs.2,66,34,295/- towards pending dues on account of supply of electricity

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

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this

petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.58 of 2013 & I.A.No.31 of 2013
GMR Vemagiri Power Generation Ltd Vs Andhra Pradesh Power Coordination
Committee (APPCC) & others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 seeking a declaration that respondents are liable to refund the Capacity Charges deducted from the monthly invoices of the petitioner from October, 2012 onwards amounting to Rs. 121.62 crs and for award of interest till payment,

I.A. filed by the petitioner seeking to (a) declare that the actions of the respondents to effect deduction in the payment abstract of January, 2013 are violative of the provisions of the PPA and consequently (b) grant interim directions to the respondents restraining them forthwith from making any further / future deduction during pendency of the aforesaid petition (c) direct the respondents to forthwith refund the deduction made by them in the monthly tariff bill payment for the month of January and (d) direct the respondents to continue the payment of capacity charges as per the provisions of the PPA

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.38169 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to

the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.60 of 2013 & I.A.No.37 of 2013
Andhra Pradesh Power Coordination Committee (APPCC) & others Vs Reliance
Infrastructure Ltd

Petition filed u/s 86 (1) (f) of the Electricity Act, 2003 In the matter of "Ineligibility of Availability declarations with Alternate Fuel (Naphtha / HSD) by the respondent, after the year 2009, and for deletion of alternate fuel clause"

IA filed by the petitioners u/s 128 of the Electricity Act, 2003 for appointment of a committee of technical officers and direct them to investigate the issue as to whether there were tanks for storing Naptha at the project of the respondent and after the year 2009 and as to the probable date of dismantling of Naptha tanks, by inspecting the project premises and the records
Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

None appeared for the petitioner. Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. A copy of the letter filed by the learned counsel for the petitioner before the Commission dated 15-01-2019 received on 17-01-2019 be served on the learned Standing Counsel for the utilities by the office of the Commission. The matter is not covered by any of the Writ Petitions disposed of by the common order dated 31-12-2018 of the Hon'ble Division Bench of the Hon'ble High Court and hence the learned Standing Counsel for the utilities sought for time for examining and submitting about the applicability of the principles laid down by the Hon'ble Division Bench to this matter. Hence, the matter is posted for hearing to 02-02-2019.

Call on:

02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.1 of 2014
Central Power Distribution Company of Andhra Pradesh Ltd (now TSSPDCL) &
others Vs GVK Gautami Power Ltd

Petition u/s 86 (1) (b) and (f) of the Electricity Act, 2003 for deletion of the clause reflecting alternate fuel in the definition of the "Fuel" in the PPA entered by the parties

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the respondent are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the respondent. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35401 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.2 of 2014
Central Power Distribution Company of Andhra Pradesh Ltd (now TSSPDCL) &
others Vs GVK Industries Ltd

Petition u/s 86 (1) (b) and (f) of the Electricity Act, 2003 for deletion of the clause reflecting alternate fuel in the definition of the "Fuel" in the PPA entered by the parties

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the respondent are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the respondent. In the order of the Hon'ble

Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35386 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.10 of 2014
Spectrum Power Generation Ltd Vs Transmission Corporation of Andhra Pradesh
Ltd (APTRANSCO) & others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes between the parties with regard to Minimum Off Take Charges
Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.12 of 2014 & I.A.No.3 of 2014
Reliance Infrastructure Ltd Vs Central Power Distribution Company of Andhra Pradesh Ltd (now TSSPDCL) & others

Interlocutory Application filed by the petitioner u/s 94 (2) of the Electricity Act, 2003 for restraining the respondents from deducting the capacity charges from the petitioner

Petition filed by the petitioner u/s 86 (1) (f) of the Electricity Act, 2003 seeking declaration that HSD is a alternative Fuel in terms of Article 1.1.27 of the PPA and refund the unauthorized deductions of Rs.96,68,92,198/- made by the respondents from the bills payable to the petitioner

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

None appeared for the petitioner. Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. A copy of the letter filed by the learned counsel for the petitioner before the Commission dated 15-01-2019 received on 17-01-2019 be served on the learned Standing Counsel for the utilities by the office of the Commission. The matter is not covered by any of the Writ Petitions disposed of by the common order dated 31-12-2018 of the Hon'ble Division Bench of the Hon'ble High Court and hence the learned Standing Counsel for the utilities sought for time for examining and submitting about the applicability of the principles laid down by the Hon'ble Division Bench to this matter. Hence, the matter is posted for hearing to 02-02-2019.

Call on:

02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.13 of 2014
KSK Mahanadi Power Company Ltd Vs Eastern Power Distribution Company of Andhra Pradesh Ltd (APEPDCL) Southern Power Distribution Company of Andhra Pradesh Ltd (APSPDCL)

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute relating to claim of respondents towards liquidated damages of Rs. 23.60 crs under Article 4.8 of the Power Purchase Agreement (PPA) dated 31-07-2012 entered between the parties

Sri Ashwin Ramanathan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri Ashwin Ramanathan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. The petitioner filed an Interlocutory Application bearing I.A.No.1 of 2019 stating that in view of the decision of the Hon'ble Appellate Tribunal for Electricity in K.S.K. Mahanadi Power Company Limited Vs Andhra Pradesh Electricity Regulatory Commission and others in Appeal No.230 of 2017 dated 31-10-2018 following the earlier decisions of the Hon'ble Supreme Court and the Hon'ble Appellate Tribunal for Electricity holding on identical facts that such disputes will be within the exclusive jurisdiction of the Central Electricity Regulatory Commission to adjudicate any dispute between the parties to a Power Purchase Agreement, this petition also falls within the exclusive jurisdiction of the Central Electricity Regulatory Commission and therefore, the petition be disposed of accordingly. The identity of the facts and circumstances in both the cases and the applicability of the principle laid down by the Hon'ble Appellate Tribunal for Electricity, which was subsequently confirmed by the Hon'ble Supreme Court by an order dated 03-12-2018 in Appeal No.11142 of 2018 are not in dispute. Hence, transmit the record to the Central Electricity Regulatory Commission having jurisdiction over the dispute, duly indexed, for further action, in accordance with law.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.14 of 2014

Central Power Distribution Company of Andhra Pradesh Ltd (now TSSPDCL) &
others Vs KSK Mahanadi Power Company Ltd & others
Petition u/s 86 (1) (f) of the Electricity Act, 2003 for directions on illegal claim of Rs.
66.31 crs towards the transmission charges for the period 16th June, 2013 to 13th

August, 2013 and capacity charges for the period 16th June, 2013 to 26th July, 2013 by illegal invoking Letter of Credit by M/s. KSK Mahanadi Power Company Ltd., for the period without supplying power to the petitioners

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri Ashwin Ramanathan, learned counsel for the respondent are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri Ashwin Ramanathan, learned counsel for the respondent. The respondent filed an Interlocutory Application bearing I.A.No.2 of 2019 stating that in view of the decision of the Hon'ble Appellate Tribunal for Electricity in K.S.K. Mahanadi Power Company Limited Vs Andhra Pradesh Electricity Regulatory Commission and others in Appeal No.230 of 2017 dated 31-10-2018 following the earlier decisions of the Hon'ble Supreme Court and the Hon'ble Appellate Tribunal for Electricity holding on identical facts that such disputes will be within the exclusive jurisdiction of the Central Electricity Regulatory Commission to adjudicate any dispute between the parties to a Power Purchase Agreement, this petition also falls within the exclusive jurisdiction of the Central Electricity Regulatory Commission and therefore, the petition be disposed of accordingly. The identity of the facts and circumstances in both the cases and the applicability of the principle laid down by the Hon'ble Appellate Tribunal for Electricity, which was subsequently confirmed by the Hon'ble Supreme Court by an order dated 03-12-2018 in Appeal No.11142 of 2018 are not in dispute. Hence, transmit the record to the Central Electricity Regulatory Commission having jurisdiction over the dispute, duly indexed, for further action, in accordance with law.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.15 of 2014

EID Parry (India) Ltd Vs Transmission Corporation of Andhra Pradesh Ltd
(APTRANSCO) & others

Petitioner u/s 86 (1) (f) of the Electricity Act, 2003 in relation to non-payment of fixed charges by trueing annualized threshold PLF of 55% as per the tariff determined by the Commission to the petitioner under the Power Purchase Agreement

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

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.20 of 2014

Silkroad Sugar Pvt. Ltd Vs Transmission Corporation of Andhra Pradesh Ltd
(APTRANSCO) & another

Petitioner u/s 33 (4) & 86 (1) (f) of the Electricity Act, 2003 in the matter of refund of excess recovered amount of Rs.2,51,55,786/-

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

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.34 of 2014
GVK Industries Ltd Vs Eastern Power Distribution Company of Andhra Pradesh Ltd
& others

Petition filed for adjudication of disputes between the parties

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35386 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central

Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.37 of 2014 & I.A.No.9 of 2014
Spectrum Power Generation Ltd Vs Transmission Corporation of Andhra Pradesh Ltd (APTRANSCO) & others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of disputes between the parties, along with Interlocutory Application (I.A. No. 9 of 2014)

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.38 of 2014
Spectrum Power Generation Ltd Vs Transmission Corporation of Andhra Pradesh Ltd (APTRANSCO) & others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of disputes between the parties.

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.40 of 2014
Bharath Aluminum Company Ltd Vs PTC India Ltd & others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 for recovery of compensation deducted from the petitioner purportedly towards non-supply of power

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

Sri K. Gopal Choudary, learned counsel for the petitioner submitted that the directions of the Hon'ble High Court in the common order in W.P.No.15848 of 2015 & batch dated 31-12-2018 did not advert to the question of jurisdiction with reference to the reliefs concerning the compensation claimed in the petition and therefore, the petitioner is contemplating as to what should be the appropriate further course of action relating to the reliefs sought for by it before this Commission due to which a

reasonable time may be granted for coming back to the Commission with specific submissions on this aspect. Therefore, the matter is posted to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.56 of 2014
Spectrum Power Generation Ltd Vs Transmission Corporation of Andhra Pradesh
Ltd (APTRANSCO) & others

Petition filed under Section 86 (1) (f) read with Sections 86 (1) (a) and 86 (1) (k) of
the Electricity Act, 2003 for approval of completed capital cost incurred by the
petitioner

Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao, learned
Standing Counsel for the utilities are present.

Heard Sri M. Naga Deepak, learned counsel for the petitioner and Sri P. Shiva Rao,
learned Standing Counsel for the utilities. Though the Hon'ble High Court has
delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the
question of jurisdiction, it is represented that this petition is not covered by any
of the Writ Petitions disposed of by the common order and hence, the
Commission has to hear on the applicability of the principles laid down by the
Hon'ble Division Bench to this petition and decide the further course of action in
compliance with the directions of the Hon'ble High Court and in accordance with
law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on: 02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

R.P.No.1 of 2014 in O.P.No.44 of 2013
Transmission Corporation of Andhra Pradesh Ltd (APTRANSCO) & others Vs
Spectrum Power Generation Ltd

Petition filed under Section 94 (1) (f) of the Electricity Act, 2003 seeking review the
Commission's order dt.27.07.2013 in O.P. No. 44 of 2013

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak,
learned counsel for the respondent are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga
Deepak, learned counsel for the respondent. Though the Hon'ble High Court has
delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the
question of jurisdiction, it is represented that this petition is not covered by any
of the Writ Petitions disposed of by the common order and hence, the
Commission has to hear on the applicability of the principles laid down by the
Hon'ble Division Bench to this petition and decide the further course of action in
compliance with the directions of the Hon'ble High Court and in accordance with
law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.10 of 2015
Lanco Kondapalli Power Limited Vs APPCC & others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 claiming reimbursement
of Bank Guarantee Commission being part of Finance & Procurement costs

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

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.60 of 2012
Nile Limited Vs APSPDCL & another

Petition Seeking directions for payment on the monthly power bills

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

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further

course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.12 of 2016
APEPDCL & another Vs GVK Gautami Power Limited & others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 claiming certain amounts from Respondent No. 1

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the 1st respondent are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the 1st respondent. In the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018, the specific direction given in W.P.No.35401 of 2016 covering this petition is that this Commission shall transfer this petition to the Central Electricity Regulatory Commission. Hence, the record duly indexed be forwarded to the Central Electricity Regulatory Commission in compliance with the directions of the Hon'ble High Court.

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.28 of 2017
APSPDCL & another Vs Konaseema Gas Power Limited & others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 444.08 MW project at Devarapalli (V), Ravulapalem (M), East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri E. Satish Kumar, learned counsel for the 1st respondent are present.

Sri E. Satish Kumar, learned counsel for the 1st respondent submitted that the matter is covered by the decision of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018 and hence be transmitted to the Central Electricity Regulatory Commission. Sri P. Shiva Rao, learned Standing Counsel for the utilities opposed the plea contending that the distribution companies of Telangana are only proforma parties to this petition and the jurisdiction of this Commission is no way ousted in the matter. Therefore for hearing on jurisdiction, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.29 of 2017

APSPDCL & another Vs GVK Gautami Power Limited & others
Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 464 MW project at Peddapuram, East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the 1st respondent are present.

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri M. Naga Deepak, learned counsel for the 1st respondent submitted that the question of jurisdiction did not arise in this matter and there is an obvious mistake in this matter being posted along with jurisdiction matters. Hence, the matter is posted for hearing to 02-02-2019.

Call on:

02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.11 of 2015
APSPDCL & another Vs Konaseema Gas Power Limited

Petition under Section 86 (1) (b) and (f) of the Electricity Act, 2003 to delete Clause reflecting alternate fuel in the definition of "Fuel" in the PPA entered by M/s. Konaseema Gas Power Ltd., with APTRANSCO, APDISCOMs,

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri E. Satish Kumar, learned counsel for the respondent are present.

Sri E. Satish Kumar, learned counsel for the respondent submitted that the matter is covered by the decision of the Hon'ble Division Bench of the Hon'ble High Court in W.P.No.15848 of 2015 & batch dated 31-12-2018 and hence be transmitted to the Central Electricity Regulatory Commission. Sri P. Shiva Rao, learned Standing Counsel for the utilities opposed the plea contending that the distribution companies of Telangana are only proforma parties to this petition and the jurisdiction of this Commission is no way ousted in the matter. Therefore for hearing on jurisdiction, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.41 of 2017
Madhucon Sugar & Power Industries Limited Vs APPCC & others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute between the generating company and the distribution companies towards shortfall amounts as payable against invoices on account of energy supplied during October & November, 2010 in terms of Purchase Order together with interest.

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

Heard Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on:

02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

Public hearing in the matter of allocating inflated demand by Andhra Pradesh Gas Power Corporation Ltd (APGPCL) to its shareholders

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for some of the objectors are present.

Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for some of the objectors. The learned counsel for APGPCL is not present. Though the Hon'ble High Court has delivered its order in W.P.No.15848 of 2015 & batch on 31-12-2018 on the question of jurisdiction, it is represented that this petition is not covered by any of the Writ Petitions disposed of by the common order and hence, the

Commission has to hear on the applicability of the principles laid down by the Hon'ble Division Bench to this petition and decide the further course of action in compliance with the directions of the Hon'ble High Court and in accordance with law. Therefore, for further hearing, the matter is posted to 02-03-2019.

Call on: 02-03-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN

O.P.No.6 of 2017
APSPDCL & another Vs Reliance Infrastructure Limited & others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the Respondent No.1 (M/s. Reliance Infrastructure Ltd) to pay for the energy consumed by the latter towards auxiliary consumption for its 220 MW power project at Samalkot at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

None appeared for the petitioner. Heard Sri P. Shiva Rao, learned Standing Counsel for the utilities. A copy of the letter filed by the learned counsel for the petitioner before the Commission dated 15-01-2019 received on 17-01-2019 be served on the learned Standing Counsel for the utilities by the office of the Commission. The matter is not covered by any of the Writ Petitions disposed of by the common order dated 31-12-2018 of the Hon'ble Division Bench of the Hon'ble High Court and hence the learned Standing Counsel for the utilities sought for time for examining and submitting about the applicability of the principles laid down by the Hon'ble Division Bench to this matter. Hence, the matter is posted for hearing to 02-02-2019.

Call on: 02-02-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
CHAIRMAN