

Record of proceedings dated 20-07-2019

Public hearing in the matter of procurement of 1000 MW distributed Solar Power at the interconnection point of 33 / 11 kV Substations covering entire State

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

Sri P. Shiva Rao, learned Standing Counsel for Southern Power Distribution Company of Andhra Pradesh Limited and Eastern Power Distribution Company of Andhra Pradesh Limited endorsed on the letter dated 23-05-2019 that for the present the Discoms are not interested to proceed in this matter and it may be closed with liberty to come up with a fresh application as and when required. The learned Standing Counsel stated that he made the endorsement on specific instructions. The learned objectors are not present. In view of the statement by the learned Standing Counsel and the endorsement, the endorsement is recorded. The proceedings are closed.

Sd/-
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Sd/-
MEMBER/PR

Sd/-
CHAIRMAN

Public hearing in the matter of approval of Power Sale Agreement (PSA) signed by APDISCOMs with M/s. NTPC on 11-12-2017 and adoption of tariff under Section 63 of the Electricity Act, 2003 for purchase of 250 MW Solar Power from Kadapa Solar Park under NSM Phase-II, Batch-II, Tranche-I.

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri Ishpaul Uppal, AGM, NTPC are present.

Sri P. Shiva Rao, learned Standing Counsel for the utilities sought for further time to get instructions from the State Government. Hence, the matter is posted to 03-08-2019.

Call on:

03-08-2019
at 11:00 AM

Sd/-
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CHAIRMAN

Public hearing in the matter of approval of Power Sale Agreement (PSA) signed by APDISCOMs with M/s. NTPC and regulation of price under Section 86 (1) (b) of the Electricity Act, 2003 for purchase of power from 750 MW (Phase - II) Solar Park at NP Kunta, Anantapur District.

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri Ishpaul Uppal, AGM, NTPC are present.

Sri P. Shiva Rao, learned Standing Counsel for the utilities sought for further time to get instructions from the State Government. Hence, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

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Sd/-
CHAIRMAN

Public hearing in the matter of approval of Power Sale Agreement (PSA) signed by APDISCOMs with M/s. SECI and regulation of price under Section 86 (1) (b) of the Electricity Act, 2003 for purchase of power from 750 MW Kadapa Ultra Mega Solar Park

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

Sri P. Shiva Rao, learned Standing Counsel for the utilities sought for further time to get instructions from the State Government. Hence, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

Sd/-
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Sd/-
CHAIRMAN

O.P.No.42 of 2019
M/s. Srivathsa Power Projects Pvt Ltd Vs APEPDCL

Petition filed u/s 86 (1) (b) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations to reconsider the fixation of variable cost on pass through basis instead of variable rate of Rs.2.91/- per unit in respect of the petitioner.

Ms. Rashmi G Kamaath, learned counsel, Indus Law Firm, representing the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Counter of respondent is filed. Time extended, at request, for filing response of the parties to the objections, till 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

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MEMBER/PR

Sd/-
CHAIRMAN

Draft order dated 22-03-2019 in the matter of determination of variable cost for the period from 01-04-2019 to 31-03-2024 in respect of the existing Biomass, Industrial Waste and Bagasse based power plants.

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for M/s. SNJ Sugars and Products Limited, M/s. CKR Associates, M/s. KCP Sugar and Industries Corporation Limited, M/s. Navabharat Ventures Limited; Sri T. Krishna Kishore, representing M/s. Sri Venkata Sridevi Power LLP; Sri B. Suresh Kumar, Dy.C.E., representing M/s. The Etikoppaka Cooperative Agricultural & Industrial Society Limited; Sri V. Venkata Ramana Raju, Office Manager, representing M/s. The Chodavaram Cooperative Sugars Limited and Sri N. Janardhan, representing Biomass Energy Developers Association are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, time extended for response of the utilities till 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

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CHAIRMAN

O.P.No.41 of 2019
M/s. Palnadu Solar Power Pvt. Ltd Vs CMD / APSPDCL
CE / APPCC / APTRANSCO and CGM / Projects & IPC / APSPDCL

Petition filed u/s 63 of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for approval of tariff for the additional capacity of 4.5 MW of the petitioner's solar power project as determined through competitive bidding process.

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

At request of Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner, time extended for rejoinder till 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

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CHAIRMAN

I.A.No.11 of 2019 in O.P. No.61 of 2017
APSPDCL Vs APEPDCL & GoAP

In the matter of petition filed by APSPDCL seeking approval of the Commission for additional subsidy requirement for additional units of supply to agriculture over and above the Tariff Order approved quantity due to extension of supply to agriculture over and above the stipulated 7 hrs supply and extending supply to the agriculture 7 hrs to 9 hrs a day from 17-02-2019 in the jurisdiction of APSPDCL on the State of Andhra Pradesh during FY 2018-19.

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

Response of Southern Power Distribution Company of Andhra Pradesh Limited to the objections of Sri M. Venugopala Rao is filed. For response of the respondents to the petition, time extended at request of Sri P. Shiva Rao, learned Standing Counsel for the utilities till 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

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CHAIRMAN

I.A.No.12 of 2019 in O.P. No. 60 of 2017
APEPDCL Vs APSPDCL & GoAP

In the matter of petition filed by APEPDCL seeking approval of the Commission for additional subsidy requirement for additional units of supply to agriculture over and above the Tariff Order approved quantity due to extension of supply to agriculture over and above the stipulated 7 hrs supply and extending supply to the agriculture 7 hrs to 9 hrs a day from 15-02-2019 in the jurisdiction of APEPDCL on the State of Andhra Pradesh during FY 2018-19.

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

Response of Eastern Power Distribution Company of Andhra Pradesh Limited to the objections of Sri M. Venugopala Rao is filed. For response of the respondents to the petition, time extended at request of Sri P. Shiva Rao, learned Standing Counsel for the utilities till 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

Sd/-
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CHAIRMAN

O.P. No.33 of 2019
APSPDCL & APEPDCL Vs APGENCO

Petition u/s 86 (1) (b) of the Electricity Act, 2003 read with Section 21 (4) of the A.P. Reforms Act, 1998 requesting for granting consent to the Amended and Restated PPA dated 28-01-2019 in respect of 600 MW Rayalaseema Thermal Power Project (RTPP) - Stage IV at Muddanur, Cuddapah District.

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Sri D.V.S. Someswara Rao, SAO representing APGENCO are present.

Both the learned objectors are not present. Hence, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

Sd/-
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MEMBER/PR

Sd/-
CHAIRMAN

Public hearing in the matter of granting consent for renewed PPA signed by APDISCOMs for the old stations of APGENCO for the period from 01-04-2019 to 31-03-2024

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

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, for response to the objections, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

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CHAIRMAN

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%

Sri O. Manohar Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted for hearing to 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

Sd/-
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CHAIRMAN

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%

Sri O. Manohar Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted for hearing to 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

Sd/-
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CHAIRMAN

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 O. Manohar Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted for hearing to 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

Sd/-
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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 Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted to 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

Sd/-
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CHAIRMAN

O.P.No.38 of 2019
Sri. G. Vijayabhaskar Reddy Vs Assistant Executive Engineer,
Section-1, Construction Sub Division, APTRANSCO, Tirupati, Chittoor District and
District Collector, Chittoor

Petition under Rules 3 (5) and 13 (2) of Works of Licensee Rules, 2007 for damage
to the petitioner's land and mango trees due to construction of High Tension
Transmission Towers and Lines by APTRANSCO

Sri G. Ananda Reddy, learned counsel for the petitioner and Sri P. Shiva Rao,
learned Standing Counsel for the utilities are present.

Rejoinder filed. For hearing, the matter is posted to 24-08-2019.

Call on: 24-08-2019
at 11:00 AM

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CHAIRMAN

O.P.No.39 of 2019
Sri. M. Sambasiva Reddy Vs Assistant Executive Engineer,
Section-1, Construction Sub Division, APTRANSCO, Tirupati, Chittoor District and
District Collector, Chittoor

Petition under Rules 3 (5) and 13 (2) of Works of Licensee Rules, 2007 for damage to the petitioner's land and mango trees due to construction of High Tension Transmission Towers and Lines by APTRANSCO

Sri G. Ananda Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Rejoinder filed. For hearing, the matter is posted to 24-08-2019.

Call on: 24-08-2019
at 11:00 AM

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Sd/-
CHAIRMAN

O.P.No.30 of 2019
M/s. Sree Rayalaseema Green Energy Ltd Vs CMD / APSPDCL & SE / Operation
Circle / APSPDCL / Kurnool

Petition under Section 86 (1) (f) of the Electricity Act, 2003 claiming interest for late payment of energy bills by the Distribution Licensee, as per Article 7 sub-section 7.3 of the Power Purchase & Wheeling Agreement

Sri Venkatesh Teja representing the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Reply for the counter filed by the petitioner. For hearing, the matter is posted to 24-08-2019.

Call on: 24-08-2019
at 11:00 AM

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MEMBER / PRM

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MEMBER/PR

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

Time extended at request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, for submitting response to the documents filed, till 17-08-2019.

Call on: 17-08-2019
at 11:00 AM

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MEMBER / PRM

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Sd/-
CHAIRMAN

O.P.No.34 of 2019
M/s. JSW Power Trading Company Ltd Vs APSPDCL

Petition under Sections 86 (1) (f) & other applicable provisions of the Electricity Act, 2003 and Regulations made there-under seeking direction to respondent for payment of unlawfully withheld amount including interest for the supply of energy to respondent under Purchase Order dated 21-08-2014 and Power Purchase Agreement dated 29-09-2014

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

Rejoinder filed. For hearing, the matter is posted to 24-08-2019.

Call on: 24-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

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MEMBER/PR

Sd/-
CHAIRMAN

O.P.No.31 of 2019
M/s. Azure Power Infrastructure Private Limited Vs APSPDCL

Petition under Section 86 (1) (a) and (b) read with Section 86 (1) (f) of the Electricity Act, 2003 and Article 13 read with Article 11.4 of the Power Purchase Agreement executed between the petitioner and respondent dated 05-12-2014 seeking relief on

account of "Change in Law" viz., the introduction of Goods and Services Tax Laws at the Central level and change in the rate of Service Tax, resulting in additional recurring expenditure in the form of an additional tax burden to be borne by the petitioner after the Effective Date of the Power Purchase Agreement

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

Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner stated that rejoinder will be filed during the course of the day. Hence, the matter is posted for hearing to 24-08-2019.

Call on: 24-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

Sd/-
CHAIRMAN

O.P.No.27 of 2019

M/s. Spectrum Power Generation Limited Vs APSPDCL & APEPDCL

Petition under Section 62 (1), 86 (1) (b) of the Electricity Act, 2003 read with Clause (55) of APERC (Conduct of Business) Regulations, seeking approval for the tariff (FC & VC) as proposed by them for the FY 2018-19 and FY 2019-20 i.e., fixed cost at Rs.0.92 / Kwh on actual units supplied subject to an overall ceiling of Rs.108.17 crores and change in variable cost from time to time based on revision in natural gas prices with effect from 01-04-2019 as pass through basis

Sri T. Uma Sankar, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Rejoinder filed. For hearing, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

Sd/-
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Sd/-
MEMBER/PR

Sd/-
CHAIRMAN

O.P.No.12 of 2018
FOR ORDERS
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 P. Shiva Rao, learned Standing Counsel for the utilities is present.

Orders are not ready. Hence, for orders, the matter is posted to 24-07-2019 at 02.00 PM.

Call on: 24-07-2019
at 02:00 PM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

Sd/-
CHAIRMAN

O.P.No.11 of 2018
FOR ORDERS
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 P. Shiva Rao, learned Standing Counsel for the utilities is present.

Orders are not ready. Hence, for orders, the matter is posted to 24-07-2019 at 02.00 PM.

Call on: 24-07-2019
at 02:00 PM

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MEMBER/PR

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CHAIRMAN