

RECORD OF PROCEEDINGS DATED 20-07-2022

OP No. 33 of 2022

CMD, APTRANSCO & CGM, Commercial, APTRANSCO Vs. M/s Bharath Wind Farms Ltd. & others

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

Sri P.Shiva Rao, learned Standing Counsel for the petitioners; Sri Telaprolu Sri Charan, learned counsel for respondents 4 to 6; Sri M.Sridhar, learned counsel for respondents 8 and 18; and Smt.G.Malathi, learned counsel, representing Sri F.B. Benjamin George, learned counsel for Respondent No.11 are present.

Though respondents 2, 9 to 11, 16 and 19 were represented by their counsel on 27-4-2022 at the web hearing, none appeared today on their behalf.

Though notices were sent to respondents 1,3,7,12 to 15 and 17 by Registered Post, Acknowledgment Due, they were not yet returned served.

Respondent No.4 & 8 filed I.As., raising preliminary objections on the maintainability of the O.P.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, requested time for filing counter to I.As. filed by respondent No.4 and 8, and rejoinders to the counters filed by respondents 4, 5, 8, 18 and 11.

By the next date of hearing, the Registry shall put-up a note on service of notices on the remaining respondents.

Call on 12-10-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

OP No. 114 of 2021

Triveni Enterprises Vs. APTRANSCO & APSPDCL

Petition filed under sections 86(1)(a), 86(1)(b) and 86(1)(e) of the Electricity Act, 2003, for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dt: 31-03-2011 in the State of Andhra Pradesh, after expiry of the ten year period in terms of the Order dated: 01-05-2009 passed by this Hon'ble Commission in OP Nos. 6 and 7 of 2009

Sri A.P. Reddy, learned counsel for the petitioners, submitted that by mistake a representation was made during the previous hearing that publication has been carried out and the same has been filed. He requested time for verification and filing proof of publication.

Call on 07-9-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

OP No. 115 of 2021
Triveni Enterprises Vs. APTRANSCO & APSPDCL

Petition filed under sections 86(1)(a), 86(1)(b) and 86(1)(e) of the Electricity Act, 2003, for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dt: 21-04-2010 in the State of Andhra Pradesh, after expiry of the ten year period in terms of the Order dated: 01-05-2009 passed by this Hon'ble Commission in OP Nos. 6 and 7 of 2009

Sri A.P. Reddy, learned counsel for the petitioners, submitted that by mistake a representation was made during the previous hearing that publication has been carried out and the same has been filed. He requested time for verification and filing proof of publication.

Call on 07-9-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

O.P.No. 49 of 2020
M/s. Vish Wind Infrastructure LLP

Petition for approval of the generic tariff at Rs.3.43/- per unit for sale of wind power by the Petitioner to DISCOM for all the Seven PPAs, after expiry of the 10 year period in terms of the Order dated 01.05.2009 passed by this Hon'ble Commission in O.P Nos.6 and 7 of 2009

Counsel for the petitioner is not present.

Though the learned counsel for the petitioner has undertaken to file proof of publication on 13-4-2022 i.e., the day of the previous hearing of the case, proof of publication has not been filed.

Hence the O.P. is adjourned *sine die*.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

O.P.No. 21 of 2020 & IA No.1 of 2022
Tata Power Renewable Energy Ltd Vs. APSPDCL, APSLDC & APTRANSCO

Petition for directions treating the loss of a generation of Rs. 68.39 Crores as computed till May 2020 on account of curtailment of power as a deemed generation by the Petitioner/TPREL and direct Respondent No. 1 to make payment for the said Deemed Generation Charges.

Sri Shri Venkatesh for the petitioner and Sri P.Shiva Rao, learned counsel for the respondents, are present at the hearing.

I.A. No.1 of 2022 is filed seeking amendment of the prayer in the O.P., so as to make claim against respondent No.3, instead of against respondent No.1, as originally claimed.

Sri P.Shiva Rao, learned standing counsel for the respondents, fairly conceded the prayer; however, with a request to permit him to file an additional counter on behalf of respondent No.3 on merits.

Accordingly, the I.A. is allowed as prayed for. Respondent No.3 is permitted to file an additional counter, if any.

Sri Sri Venkatesh, learned counsel for the petitioner, submitted that on behalf of his client he has filed the relevant data showing the actual loss due to curtailment.

Respondent No.3 is permitted to file the additional counter, in respect of this aspect also, within three weeks and the petitioner is permitted to file rejoinder within two weeks thereafter.

Call on 12-10-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

OP No. 38 of 2021 & IA No. 1 of 2021
M/s Rayala Wind Power Company Private Limited & Ors. Vs. APSPDCL & APEPDCL

Petition seeking indulgence of this Hon'ble Commission and invoking its Regulatory Jurisdiction under Section 86(1)(e) read with Section 86 (1)(f) of the Electricity Act 2003

IA No. 1 of 2021 - Application seeking interim directions under Regulation 55 of APERC (Conduct of Business) Regulations, 1999 r/w Section 151 of the Code of Civil Procedure, 1908

OP is allowed to the extent of Para 13(a) prayer only (Vide separate order).

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

O.P.Nos.60 & 61 of 2017
(Remanded from Hon'ble APTEL)
M/s. Abhijeet Ferrotech Ltd Vs. APEPDCL & APSPDCL

In the light of the judgement of the Hon'ble Appellate Tribunal for Electricity passed in Appeal No. 248 of 2018 dt. 18-02-2022, remanding the matter to the Commission for passing fresh order in terms of the directions

Sri M.Sreedhar, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

The learned counsel representing the petitioner filed a compliance memo along with proof of publication of public notice in the two newspapers, as directed by this Commission. No objections have been received to the said public notice.

Heard the learned counsel for the parties. Orders reserved.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

OP No. 43 of 2021 & IA No.1 of 2022 - M/s. Texmo Industries Vs. APTRANSCO & APSPDCL
OP No. 44 of 2021 & IA No.1 of 2022 - M/s. M/s. Texmo Precision Casting Vs. APTRANSCO & APSPDCL
OP No. 45 of 2021 & IA No.1 of 2022 - M/s. Triveni Enterprises Vs. APTRANSCO & APSPDCL
OP No. 46 of 2021 & IA No.1 of 2022 - M/s. Texonic Instruments Vs. APTRANSCO & APSPDCL
OP No. 47 of 2021 & IA No.1 of 2022 - M/s. Vikram Traders Vs. APTRANSCO & APSPDCL
OP No. 48 of 2021 & IA No.1 of 2022 - M/s. Siddanga Oil Extractions Pvt Ltd Vs. APTRANSCO & APSPDCL
OP No. 49 of 2021 & IA No.1 of 2022 - M/s. S. Kumar Vs. APTRANSCO & APSPDCL
OP No. 50 of 2021 & IA No.1 of 2022 - M/s. Prakash Beedies Pvt Ltd Vs. APTRANSCO & APSPDCL
OP No. 51 of 2021 & IA No.1 of 2022 - M/s. Arts & Crafts Exportss Vs. APTRANSCO & APSPDCL
OP No. 60 of 2021 & IA No.1 of 2022 - M/s. Shreem Electric Ltds Vs. APTRANSCO & APSPDCL

Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 20-04-2010 and for a direction against the respondents for the payments of the outstanding amounts

IA filed under Section 86(1)(b), 86(1)(e) and 86(1)(f) of the Electricity Act, 2003 in OP No. 43 of 2021 for specific performance of the PPA Dt 20-04-2010 and for a direction against the respondents for the payments of the outstanding amounts from April, 2020 to December, 2021

All the OPs are disposed of. (Vide separate common order)

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN