

RECORD OF PROCEEDINGS DATED 21-09-2022

OP No. 51 of 2022

M/s. MDA Mineral Dhatu (AP) Pvt. Ltd., Vs. APEPDCL, APSLDC, APTRANSCO

Petition filed under Section 86(1)(f) of the Electricity Act, 2003 R/w Regulation No. 2 of 2005; R/w Interim Balancing & Settlement Code for Open Access Transactions) Regulation 2006 (No.2 of 2006) along with amendments made from time to time, to direct the respondents to grant Open Access subject to payment necessary charges.

Ms. Deepti Anand, counsel representing Sri P.Vikram, learned counsel for the Petitioner and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned standing counsel for the respondents, are present at the hearing.

Sri G.V.Brahmananda Rao takes notice for the respondents and seeks three weeks' time for filing counter. Time is accordingly granted.

Call on 19-10-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No.1 of 2022

Greenko Uravakonda Wind Power Pvt. Ltd., Vs. APSPDCL

Petition filed under Section 86 (1) (e) & (f) of the Electricity Act, 2003 R/w. Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 seeking directions to the Respondent, among other things, for payment of the outstanding dues and Late Payment Interest in terms of the Articles 5.2 & 5.3 of the PPA.

OP No.2 of 2022

Greenko Anantapur Wind Power Pvt. Ltd., Vs. APSPDCL

Petition under Section 86 (1) (e) & (f) of the Electricity Act, 2003 R/w. Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 seeking directions to the Respondent among other things for payment of the outstanding dues and Late Payment Interest in terms of the Articles 5.1, 5.2 & 5.3 of the PPA.

Sri V.Akshaya Babu, learned counsel for the Petitioners and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondent are present at the hearing.

Sri G.V.Brahmananda Rao requested three weeks' time for filing counter. Time is accordingly granted.

Call on 19-10-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 44 of 2022

Jaliparthi Srinivasa Rao & Ors Vs. Collector, NTR District, CMD APTransco & Ors

Petition filed under Electricity Act, 2003 Andhra Pradesh Works of Licence Rules, 2007, to direct the respondent to fix RoW land damages compensation for @250% with interest to the petitioners land within 30 days.

Sri P.Chengal Reddy, learned counsel for the Petitioners and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents are present at the hearing.

Sri G.V.Brahmananda Rao submitted that counters are ready and are being filed in the Office.

Sri P.Chengal Reddy, learned counsel for the Petitioners, requested time for filing rejoinder. His request is accepted.

Call on 09-11-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 45 of 2022

Ch.Venugopala Rao Vs. Collector, NTR District, CMD APTransco & Ors

Petition filed under Electricity Act, 2003 Andhra Pradesh Works of Licence Rules, 2007, GO Ms.No. 24 dt 27-02-2007 to direct the District Collector, Krishna to enhance the existing compensation at least to a minimum compensation of Rs.17,58,350/- as per Section 26 of 2013 LARR Act

Sri P.Chengal Reddy, learned counsel for the Petitioner and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned standing counsel for the respondents are present at the hearing.

Sri G.V.Brahmananda Rao requested time for filing counters. Time is accordingly granted.

Call on 09-11-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 39 of 2022
M/s. Danu Wind Parks Pvt. Ltd., Vs. APSPDCL & Ors.

Petition filed u/s 86(1)(f) and (e) of the Electricity Act, 2003 read with Regulation 8 of the APERC (Conduct of Business) Regulations, 1999, as amended, read with Article 5 of the PPA dated 17-07-2017 entered into between the petitioner and APSPDCL, seeking directions to APSPDCL for expeditious release of the payments of the amounts due and payable to the petitioner by APSPDCL under the PPA

Sri M.Sridhar, counsel representing Sri Vivek Chandrasekhar, learned counsel for the Petitioner; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents are present at the hearing.

Further time for filing rejoinder is requested for. The request is accordingly accepted.

Call on 09-11-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

Revision Petition No. 1 of 2022

Sri. Mahaveer Kumar & three others Vs. District Collector, Guntur Collectorate & four others
(This Revision Petition is filed under Rule 13(2) of the Andhra Pradesh Works of Licensee Rules 2007)

Sri M.Murali Krishna, learned counsel for the Petitioners and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents are present at the hearing.

Pleadings are complete. Call on 16-11-2022 for hearing.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No 42 of 2022
Amaravathi Textiles Pvt Ltd., Vs. APSPDCL

Petition filed under Section 86(1)(f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 seeking direction to the respondent for releasing payment against the outstanding monthly invoices towards sale of energy along with delayed payment surcharge on such delayed payments, payment of amounts deducted towards 1% rebate from monthly invoices and interest on delayed payment as per articles 2.2 and 5.2 of the PPA dated 04-12-2014

Sri M.Sridhar, counsel representing Sri Challa Gunaranjan, learned counsel for the Petitioner; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing counsel for the respondent, are present at the hearing.

Sri M.Sridhar, counsel representing Sri Challa Gunaranjan, learned counsel for the Petitioner, submitted that rejoinder is ready and is being filed today.

As the pleadings are complete, call the case for hearing on 16-11-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 112 of 2021

M/s. Walwhan Renewable Energy Ltd Vs. APSPDCL,

Petition filed under section 42, 86 (1)(e) read with section 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of various disputes that have arisen between the petitioner and respondents i.e. APSPDCL, APSLDC & APTRANSCO

Sri Shri Venkatesh, learned counsel for the Petitioner and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned standing counsel for the respondent, are present at the hearing.

Pleadings are complete. Call on 16-11-2022 for hearing.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

RP No. 3 of 2022 in OP No. 30 of 2020

M/s Tadas Wind Energy Pvt Ltd., Vs. APSPDCL

Petition filed under section 94(1)(f) of the Electricity Act, 2003 read with Order 47 Rule 1 of the CPC, 1908 and Regulation 49 of the AP Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for review of the final order dated 02-02-2022 passed in OP No. 30 of 2020 .

Ms.Shreya, learned counsel representing Sri Avijeet Lala, learned counsel for the Petitioner; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Learned counsel for the petitioner requested time for advancing his submissions.

Call on 16-11-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No.34 of 2022
APSPDCL Vs. M/s Lanco Kondapalli Power Limited

Petition filed under section 86(1)(f) of the Electricity Act, 2003 seeking for the payment of an amount of Rs. 153.58 Crs by the Respondent M/s Lanco Kondapalli Power Limited

Sri G.V. Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the Petitioner; and Sri Alok Shankar, counsel representing Sri Tarun G.Reddy, learned counsel for the respondent, are present at the hearing.

Sri G.V. Brahmananda Rao submitted that the Writ Petition filed by the petitioner challenging the CEA report on the actual capacity of the petitioner is listed before the High Court for hearing.

Though the dispute in this OP is for the subsequent period, for which PPA for reduced capacity has been entered, this OP cannot be proceeded with unless the petitioner agrees that even if it is found entitled to receive payments in this OP., the respondent need not pay the same till the adjudication of the Writ Petition by the High Court.

The learned counsel for the respondent submitted that he will seek instructions and file appropriate memo in this regard.

Call on 09-11-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

IA No. 1 of 2022 in OP No. 20 of 2020
M/s. Chaitanya Projects vs. APSPDCL & Ors.

This IA is filed under Section 142 of the Electricity Act, 2003 r/w Clause 55 of the APERC (Conduct of Business) Regulations, 1999 for punishment of the APSPDCL for non-compliance of the direction issued by this Commission in the order dated 5-7-2021 passed in O.P.No.20 of 2020 by this Commission

Md. Mukhairuddin, learned counsel for the Petitioner; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the Respondents, are present at the hearing.

This I.A. is filed for a direction to respondent No.1 to comply with Order dated 05-7-2021 passed by this Commission in O.P.No.20 of 2020.

At the hearing, the learned counsel for both the parties agreed that a sum of Rs.1,27,64,414/- (Rupees one crore, twenty seven lakhs, sixty four thousand, four hundred and fourteen only) has been credited to the petitioner's account by respondent No.1. The learned

counsel for the petitioner filed a memo saying that still a sum of Rs.2,02,797/- (Rupees two lakhs, two thousand, seven hundred and ninety seven only) is due and payable by respondent No.1 to the petitioner.

A clarificatory memo to the aforesaid memo has been filed by respondent No.1, wherein it has been, *inter alia*, stated as under:

“On verification of the Joint Metre Reading submitted by the petitioner from 29-3-2017 to 23-3-2020 the energy supplied by the petitioner is 44,08,100 units before line loss. After adjusting the line losses as per PPA Article-1, Explanation-3, the admissible energy is 43,59,230 units and payment shall be arranged at Rs.2.93 per unit. As per the above calculations an amount of Rs.1,27,72,544/- shall be paid to the petitioner before recovery of Reactive energy and TDS, after adjustment of recovery towards reactive energy amount (i.e., Rs.359/-) and TDS amount (i.e., Rs.7,772/-) an amount of Rs.1,27,64,414/- shall be paid to the petitioner”

In view of the above clarification given by respondent No.1, the claim of the petitioner that a further sum of Rs.2,02,797/- (Rupees two lakhs, two thousand, seven hundred and ninety seven only) is payable by the respondent No.1, is not sustainable.

As the order of this Commission has been complied with, the I.A. is closed.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 41 of 2021 & IA No.1 of 2022
M/s. Lanco Kondapalli Power Limited Vs.APSPDCL & Ors.

Petition filed for payment of differential bill amount for the energy supplied by M/s. Lanco Kondapalli Power Limited to SPDCL of AP and EPDCL of AP Ltd

Sri Alok Shankar, Advocate, representing Sri Tarun G.Reddy learned counsel for the Petitioner and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned standing counsel for the Respondents, are present at the hearing.

Call along with O.P.No.34 of 2022 on 09-11-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR