

Record of proceedings dated 21-07-2020

O.P.No.8 of 2020

In the matter of Amendment to A.P. Solar Rooftop Policy, 2018

Sri P. Shiva Rao, learned Standing Counsel representing A.P. Discoms is present at the web hearing and none appears for the objectors. Call on 19-08-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.5 of 2020 in I.A.No.7 of 2019 in I.A.No.6 of 2019 in O.P.No.8 of 2018

Application filed by M/s. GMR Vemagiri Power Generation Ltd for amendment of prayer

Sri P. Shiva Rao, learned Standing Counsel for AP Discoms, Sri Challa Gunaranjan, learned counsel for the respondent and Ms. Pujitha Gorantla, learned counsel for the intervention petitioner are present at the web hearing.

This application is filed for the following reliefs:

“a) Stay the actions of the Discoms from continuing procurement of power from Respondent/LANCO based on APM/Non-APM/Pre-NELP gas on short term basis;

b) Direct Discoms to pay capacity charges to GVPGL, in the event Discoms are neither willing to resume APM/Non-APM/Pre-NELP gas supply to GVPGL from old IPPS nor scheduling power from GVPGL plant;

No counter affidavits have been filed by any of the respondents. As regards prayer in (a), the Commission by its proceedings dated 17-07-2020 directed discontinuance of power procurement from LANCO for different reasons. Hence this part of relief does not survive. With respect to prayer (b), the relief which is in the nature of a final relief, cannot be granted at interlocutory stage and that too in the OP filed by the DISCOMS. Hence, this application is posted along with O.P.No.8 of 2018.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.6 of 2020 in IA No.6 of 2019 in in O.P.No. 8 of 2018

Application filed by M/s. GMR Vemagiri Power Generation Ltd for amendment of prayer
Lanco Kondapalli Power Ltd Vs APSPDCL, APEPDCL

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri Challa Gunaranjan, learned counsel for the respondent and Ms. Pujitha Gorantla, learned counsel for the intervention petitioner are present at the web hearing.

This application is filed for the following reliefs:

“a) Allow the instant intervention application;

b) Dismiss the instant petition filed by the AP Discoms for renewal of the expired PPA dated 31.03.1997 executed with M/s Lanco Kondapalli Power Limited and reject the proposed draft PPA dated 28.04.2017.”

Prayer (a) is not opposed and hence the same is allowed. Prayer (b) cannot be granted without hearing O.P.No.8 of 2018. Hence IA with respect to prayer (b) shall stand posted along with O.P.No.8 of 2018.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P. No.76 of 2019

M/s Axis Wind Farms (Anantapur) Pvt. Ltd., M/s Axis Wind Farms (Rayalaseema) Pvt. Ltd and M/s Axis Energy Ventures India Pvt. Ltd. Vs APSLDC, APTRANSCO, APSPDCL, Energy Department, GoAP, MNRE and SRLDC

Petition filed under Section 33(4) read with Section 86(1)(e), 86(1)(f), and 86(1)(i) of the Electricity Act, 2003, seeking various declaratory and substantive reliefs in respect of the arbitrary, illegal, and wrongful curtailment of generation from each of the first and second petitioners' 105 MW Wind Power Plants

Ms. Samaikya Mukku, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the AP Transco and AP Discoms are present at the web hearing.

Ms. Samaikya Mukku, learned counsel for the petitioners requested for four more weeks' time for filing rejoinder. Call on 07-10-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.18 of 2019

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

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

O.P.No.19 of 2019

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

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

O.P.No.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.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 P. Shiva Rao, learned Standing Counsel for the AP Discoms is present at the web hearing.

Sri P. Shiva Rao, learned Standing Counsel for the AP Discoms submitted that Sri O. Manohar Reddy, learned counsel for the petitioners informed him that he could not get web connection and that therefore, he is unable to appear today. Hence all these OPs are adjourned. Call on 19-08-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.9 of 2020

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

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

I.A.No.10 of 2020 in O.P.No.9 of 2020

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

Application filed under Section 94(2) r/w 86(1) (b) and 86(1) (f) of the Electricity Act, 2003 read with APERC (Conduct of Business) Regulations, 1999 seeking directions to APSPDCL to make payment for the power supplied by the petitioner's 4.25 MW Wind Power Project (WPP) during the pendency of O.P.No.9 of 2020 at an appropriate interim tariff.

I.A.No.11 of 2020 in O.P. No.9 of 2020

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

Application filed under Section 94(2) r/w 86(1) (b) and 86(1) (f) of the Electricity Act, 2003 read with APERC (Conduct of Business) Regulations, 1999 seeking directions to the respondents to reconnect the petitioner's 4.25 MW WPP and to account the energy exported from the petitioner's project.

Sri Challa Gunaranjan, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

After commencement of the hearing of the case, the online connection of the learned counsel for the petitioners has got disconnected. Hence, the case is adjourned. Call on 16-09-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

Appeal No.387 of 2017 before the Hon'ble ATE

APSPDCL Vs APERC, M/s. SNJ Sugars & Allied Products Pvt.Ltd.& APTRANSCO

E.P.No.01 of 2017 in Appeal No.228 of 2012 before the Hon'ble ATE

M/s. SNJ Sugars & Allied Products Pvt Ltd. Vs APTRANSCO & 3 others

In the matter of the Order dated 12-03-2020 passed by the Hon'ble APTEL in Appeal No.387 of 2017 & E.P.No.01 of 2017 in Appeal No.228 of 2012 between APTRANSCO and M/s SNJ Sugars & Allied Products Pvt. Ltd., directing the APERC to calculate the amounts ought to be paid by the APTRANSCO to M/s SNJ Sugars & Allied Products Pvt. Ltd., in light of the observations made by the Tribunal in the order, within a month from the date of receipt of copy of the order and that the appellant-APTRANSCO shall pay the said amount within two months from the date of quantifying the amounts by APERC by its order

Sri Challa Gunaranjan, learned counsel for M/s. SNJ Sugars & Allied Products Pvt Ltd. and Sri P. Shiva Rao, learned Standing Counsel for the APSPDCL and AP Transco are present at the web hearing.

We have heard Sri Challa Gunaranjan, learned counsel for the applicant and Sri P. Shiva Rao, learned Standing Counsel for the AP Transco and AP Discoms. Sri Challa Gunaranjan, learned counsel submitted that against the APTEL order, his client filed SLP before the Hon'ble Supreme Court and that the stay application is expected to be heard shortly. As APTEL has fixed time limit of thirty days for passing an order determining the liability of the respondents towards the applicant, we direct both parties to file their respective memos of calculation in terms of the order of the APTEL which shall however be without prejudice to the right of the applicant to pursue SLP stated to have been filed against the APTEL order. Call on 04-08-2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR