

**Record of proceedings dated 21-12-2019**

O.P.No.53 of 2019  
APPDCL Vs APSPDCL & APEPDCL

Petition u/s 62 of the Electricity Act, 2003 for determination of tariff for the control period FY 2019-2024 for the electricity supplied by APPDCL from SDSTPS to the Distribution Licensees in Andhra Pradesh

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

Rejoinder filed by the Counsel for petitioner. At the request of the parties, posted for hearing on 19-02-2020.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

O.P.No.52 of 2019  
APSPDCL & APEPDCL Vs APPDCL

Petition u/s 86 (1) (f) of the Electricity Act, 2003 praying for resolving the issues in the matter of adjudication of the disputes / differences with Andhra Pradesh Power Development Company Ltd (APPDCL) as specified in para 12 of the order of the Commission in O.P.No.21 of 2016 dt.13-07-2018 in the matter of Amended and Restated Power Purchase Agreement dated 24-08-2016 entered with APPDCL by APDISCOMs for procurement of power from 2 x 800 MW Sri Damodaram Sanjeevaiah Thermal Power Station (SDSTPS), Krishnapatnam, Nellore District

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M. Sridhar, Advocate representing Sri K. Gopal Choudary, learned counsel for the respondent are present.

Memo filed along with annexures by Sri P. Shiva Rao, learned Standing Counsel for the petitioners/utilities summarizing the pending issues between the parties which need to be resolved. Hence posted to 19-02-2020 for hearing.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

R.P.No.2 of 2019 in O.P.No.47 of 2018  
APPDCL Vs APSPDCL & APEPDCL

Petition u/s 94 (1) (f) of the Electricity Act, 2003 praying for review of the order dated 02/03/2019 passed in O.P. 47 of 2017 for determination of tariff from 02/05/to 31/03/2019 for the electricity supplied by APPDCL from SDSTPS to the Distribution Licensees in Andhra Pradesh

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

Learned Counsel for the petitioner requested for further time for filing of rejoinder. Time extended for rejoinder and posted to 19-02-2020.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

O.P.Nos.495 to 499 of 2003  
AP TRANSCO & batch Vs M/s. Andhra Pradesh Paper Mills & others

Commission by order dated 22-03-2004 determined Bulk Supply Tariff, Transmission Charges, SLDC Charges (Common order in O.P.Nos.495 to 499 of 2003)

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M. Sridhar, Advocate representing Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the respondents are present.

Sri M. Sridhar, Advocate representing Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the respondents requested for short adjournment to enable them to file some observations for all the respondents in respect of the Order of the Hon'ble Supreme Court dt.29-11-2019 in the batch matters. Hence, this batch of cases is accordingly posted to 31-12-2019.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

O.P.Nos.30 to 34 of 2004  
APTRANSCO Vs Small Hydro Power Developers ' Association & others

Commission by order dated 22-03-2005 determined Bulk Supply Tariff, Transmission Charges, SLDC Charges (Common order in O.P.Nos.30 to 34 of 2004)

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M. Sridhar, Advocate representing Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the respondents are present.

Sri M. Sridhar, Advocate representing Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the respondents requested for short adjournment to enable them to file some observations for all the respondents in respect of the Order of the Hon'ble Supreme Court dt.29-11-2019 in the batch matters. Hence, this batch of cases is accordingly posted to 31-12-2019.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

O.P.Nos.1 to 5 of 2006  
APTRANSCO Vs Small Hydro Power Developers ' Association & others

Determination of tariffs including transmission charges. Certain generators questioned the Tariff Order dt.23.03.2006 in respect of levy of transmission charges.

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M. Sridhar, Advocate representing Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the respondents are present.

Sri M. Sridhar, Advocate representing Sri K. Gopal Choudary & Sri Challa Gunaranjan, learned counsel for the respondents requested for short adjournment to enable them to file some observations for all the respondents in respect of the Order of the Hon'ble Supreme Court dated 29-11-2019 in the batch matters. Hence, this batch of cases is accordingly posted to 31-12-2019.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

I.A.No.19 of 2019 in O.P.No.35 of 2019  
M/s. Vayu Urja Bharat Pvt. Ltd Vs APSPDCL

Application under Section 142 of the Electricity Act, 2003 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999, as amended, seeking urgent directions against APSPDCL for the non-compliance of this Commission's order dated 31-08-2019 in O.P.No.35 of 2019

Aniket Prasoon & Priya Dhankhar, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Sri. Aniket Prasoon, learned counsel for the petitioner brought to the notice of the Commission that the Hon'ble High Court has pronounced order on the review petition and he promised to serve a copy of the said order on the respondent. Sri P. Shiva Rao, learned Standing Counsel for the respondent sought for time to submit his response before the Commission. Hence posted to 31-12-2019.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

O.P.No.59 of 2019  
M/s. Azure Power Infrastructure Pvt Ltd Vs APSPDCL & APPCC

Petition under Section 86 (1) (f) read with Section 86 (1) (e) of the Electricity Act, 2003, Regulation 8 of the APERC (Conduct of Business) Regulations, 1999 as amended from time to time read with Article 10 of the Power Purchase Agreement seeking direction to APSPDCL and APPCC for releasing payment against the outstanding invoices towards sale of wind energy along with the interest/delayed payment surcharge on such delayed payments as per the PPA

Sri Aniket Prasoon & Priya Dhankhar, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri Aniket Prasoon, learned counsel for the petitioner submitted that he would like to withdraw the petition and he has promised to file a Memo on Monday i.e., 23-12-2019 by serving the copy of the same to the respondents. Hence, the matter is posted to 31-12-2019

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

O.P. No. 74 of 2019 & I.A. No.27 of 2019

M/s.Azure Power India Pvt. Ltd Vs. APSLDC, APTRANSCO,  
APEPDCL, NTPC & MNRE

Petition filed by the petitioner under Section 33(4) read with Section 86(1)(e), 86(1)(f), and 86(1)(k) of the Electricity Act, 2003, and Regulation 8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 as amended from time to time, inter alia seeking direction(s) to the Respondents to implement the MUST RUN status accorded to the Petitioner's Solar Projects in letter and spirit, refrain from illegally curtailing the solar energy generated therefrom and compensate the Petitioner for the unlawful and arbitrary curtailment of generation from the Petitioner's Solar Project

I.A.No.27 of 2019 filed by the petitioner under Regulation 16 read with Regulation 55 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 as amended from time to time, inter alia seeking interim direction(s) to the Respondents to implement the MUST RUN status accorded to the Petitioner's Solar Project in letter and spirit, and to produce the documents specified in the application which are necessary for the purpose of enabling the Commission to pass orders for adjudication of the Original Petition.

Sri. Aniket Prasoon & Priya Dhankhar, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri. Aniket Prasoon, learned counsel for the petitioner requested for time for filing evidence of proof of service of the notices on respondents by 31-12-2019. Hence posted to 31-12-2019.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

O.P.No.61 of 2019 & I.A.No.20 of 2019

M/s. SBG Cleantech Project Co Pvt. Ltd Vs APSLDC, APTRANSCO, APEPDCL,  
NTPC & MNRE

Petition u/s 33 (4) read with Sections 86 (1) (e), 86 (1) (f) and 86 (1) (k) of the Electricity Act, 2003 and Regulation 8 of the APERC (Conduct of Business) Regulations, 1999 as mended from time to time, inter-alia, seeking direction(s) to the respondents to implement the MUST RUN status accorded to the petitioner's Solar Project in letter and spirit, refrain from illegally curtailing the solar energy generated therefrom, and compensate the petitioner for the unlawful and arbitrary curtailment of generation from the petitioner's Solar Project

Sri Sanjay Sen, Senior Counsel representing the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents 1 to 3 are present.

Sri Sanjay Sen, Senior Counsel representing the petitioner stated that in view of the urgency involved at least the I.A.No.20 of 2019 may be taken up for early hearing. Sri P. Shiva Rao, learned Standing Counsel for the respondents 1 to 3 has stated that the main O.P. itself may be taken up for hearing on 31-12-2019 and he also submitted that the counsel for the petitioner has filed interim applications on behalf of several other generators before the Division Bench of the Hon'ble High Court of Andhra Pradesh complaining about non-compliance of single judge order in respect of curtailment. Hon'ble High Court of Andhra Pradesh is scheduled to take up this matter on 07-01-2020. At their request, the matter is posted to 31-12-2019.

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR