

Record of Proceedings Dated. 24-01-2024

OP No. 1 of 2024

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IA No.1 of 2024

M/s. Hinduja National Power Corporation Limited

Vs.

APSPDCL, APEPDCL APCPDCL represented by APPCC

(Petition filed under Section 62 read with Clause 13 of the Andhra Pradesh Electricity Regulatory Commission (Terms and conditions for Determination of Tariff for Supply of Electricity by a Generating Company to a Distribution Licensee and Purchase of Electricity by Distribution Licensees) Regulation, 2008 (Regulation, 1 of 2008), against the DISCOMs, represented by the APPCC, seeking determination of Base rate of Variable Charges as on 01.04.2023 for 1040 MW (2 x 520 MW) Thermal Power Project; and extension of time for implementation of the Railway Corridor, in terms of the liberty granted by the Hon'ble APTEL, vide: Order dated 05.12.2023 in I.A, No.1954 of 2023 in Appeal No.743 of 2023).

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IA No.1 of 2024

(This IA is filed under Clause-55 of the APERC (Conduct of Business Regulations) 1999, seeking leave of the Commission to file electronic copies of the bills from April 2022 to October 2023.

OP No.1 of 2024:

Sri Avinash Desai, learned Senior Counsel, assisted by Sri P.Ravi Charan, learned Counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Sri P.Shiva Rao requested a short time for filing counter. Two weeks' time is accordingly granted.

The petitioner shall be free to file its further response to the counter, if any, within two weeks thereafter.

Call on 21-02-2024.

IA No.1 of 2024

This application is filed seeking leave of the Commission to file electronic copies of the bills from April 2022 to October 2023.

The application is not opposed.

Accordingly, the application is ordered.

**Sd/-
MEMBER/PVRR**

**Sd/-
CHAIRMAN**

**Sd/-
MEMBER/TRS**

Review Petition No.1 of 2024 in OP No. 27 of 2023

M/s. Balaji Energy Private Ltd Vs. APSPDCL, APTRANSCO, APPCC

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Review Petition No. 2 of 2024 in OP No.28 of 2023

M/s. Balaji Energy Private Ltd Vs. APSPDCL, APTRANSCO, APPCC

(Review Petitions filed under Section 94(f) of the Electricity Act, 2003 seeking review of the Common Order dt.13-12-2023 in O.P Nos. 27 and 28 of 2023 passed by this Commission)

Sri M. Naga Deepak, learned Counsel for the Review Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Both the Review Petitions are dismissed, vide separate order.

**Sd/-
MEMBER/PVRR**

**Sd/-
CHAIRMAN**

**Sd/-
MEMBER/TRS**

OP No. 65 of 2023

M/s. Balaji Energy Pvt. Ltd Vs. APSPDCL

(Petition filed under Section 62 of the Electricity Act, 2003 seeking to fix the tariff as per MNRE Guidelines for the Petitioner's Mini Hydel Power Plant at Somasila (MHPP) from

the 11th Year of Operation in pursuance of the order, dated 10-07-2023, passed by the Hon'ble High Court of Andhra Pradesh in W.P.No. 20728 of 2016)

Sri M. Naga Deepak, learned Counsel for the Petitioner, and Sri P.Shiva Rao, learned Standing Counsel for the respondent, are present at the hearing.

Counter-affidavit is filed by the respondent.

At the request of Sri M.Naga Deepak, four weeks' time for filing rejoinder is granted.

Call on 21-02-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 64 of 2023

M/s.Adani Renewable Energy Devco Pvt Ltd Vs. APSPDCL & APPCC

(Petition filed under Section 86(1)(a), (b) & (f) of the Electricity Act, 2003 r/w. Article 11 of the Power Purchase Agreement, dated 29-6-2018 entered into between the Petitioner and APSPDCL-Respondent No.1, seeking a direction to Respondent No.1 to pay Rs.29,52,552/- due and payable as on August, 2023 against late payment surcharge and pendent lite interest)

Sri Sharath Chandupatla, counsel representing Sri B.V.N.Sai Charan, learned counsel for the Petitioner, and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Sri Sharath Chandupatla submitted that rejoinder is being filed during the course of the day and requested for an adjournment. The OP is, accordingly, adjourned.

Call on 06-3-2024.

**Sd/-
MEMBER/PVRR**

**Sd/-
CHAIRMAN**

**Sd/-
MEMBER/TRS**

OP No. 117 of 2021

Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL

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OP No. 118 of 2021

Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL

(Petitions filed under Section 33(4) r/w Sections 86(1)(e), (f) & (k) of the Electricity Act, 2003 challenging the alleged wrongful curtailment of power of the petitioner by Respondent No.1-APSLDC and, *inter alia*, sought for appropriate directions to the the Respondents not to issue curtailment instructions and direct them to pay the amounts due towards deemed generation)

IA No.1 of 2024 in OP No.117 of 2021

(This is an application filed by APSLDC-respondent No.1, under Clause-55 of the APERC (Conduct of Business Regulations) 1999, seeking appointment of a Technical Expert, including an official working in the Central Electricity Authority to give his opinion on the Data submitted by it in respect of compliance or non-compliance of the FOR Guidelines).

OP Nos.117 and 118 of 2021:

Sri Hemant Singh, learned counsel for the petitioner, and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Sri Hemant Singh has made his submissions. During the hearing, the Commission felt that determination of the issues with reference to the FOR Guidelines is a complex and complicated exercise. Instead, the Commission has suggested to the learned counsel for the petitioner to

suggest to his client for a reasonable settlement of the claims made before the Commission without going into the merits as to whether the curtailments were deliberate or forced by the system exigencies as laid down in the FOR Guidelines. The learned counsel has graciously agreed to instruct his client in this regard and report back on their response.

Call on 21-2-2024.

IA No.1 of 2024 in OP No.117 of 2021

Sri Hemanth Singh requested time for filing its counter, if necessary.

Call on 21-2-2024.

**Sd/-
MEMBER/PVRR**

**Sd/-
CHAIRMAN**

**Sd/-
MEMBER/TRS**