

Record of proceedings dated 24-11-2018

I.A. No. 12 of 2017 in O.P. Nos. 1 & 2 of 2015
APSPDCL & APEPDCL Vs GoAP

Public hearing on the Petition seeking approval of the Commission for true-up for FY 2015-16 pertaining to the increase in power purchase costs and additional subsidy required from GoAP towards additional sales to agricultural consumers during FY 2015-16

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri M. Venugopala Rao, learned objector are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the petitioners, time extended for response of the distribution companies to the issues raised by the office of the Commission till 01-12-2018.

Call on: 01-12 -2018
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER / PR

Sd/-
CHAIRMAN

Public hearing on Load Forecasts, Resource Plans, Investment Plans and State Electricity Plan

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri K. Gopal Choudary, learned *Amicus Curiae* and Sri M. Venugopala Rao, learned objector are present.

Copies of information are stated to be furnished to the learned *Amicus Curiae*. For further hearing at request, the matter is posted to 01-12-2018.

Call on: 01 12-2018
at 11:00 AM

Sd/-
MEMBER / PRM

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MEMBER / PR

Sd/-
CHAIRMAN

Public hearing on Load Forecasts, Resource Plans and State Electricity Plan for 4th control period (FY2019-20 to FY2023-24) and 5th control period (FY2024-25 to FY2028-29).

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri K. Gopal Choudary, learned *Amicus Curiae*, Sri M. Venugopala Rao and Sri A. Sreekanth representing M/s. KSK Mahanadi Power Company Limited, learned objectors are present.

No further written submissions have been filed by any objector and hence, the matter is posted for hearing to 01-12-2018.

Call on:

01-12 -2018
at 11:00 AM

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CHAIRMAN

O.P.No.47 of 2017 & I.A.No.28 of 2017
A.P. Power Development Company Ltd (APPDCL) Vs APSPDCL & APEPDCL

Public hearing on the Application for determination of tariff for supply of electricity generated at the Sri Damodaram Sanjeevaiah Thermal Power Station (SDSTPS) (2 x 800 MW) to the APDISCOMs from 05-02-2015 for the rest of the control period of 2014-19 of 2 x 800 MW

Application filed u/s 94 (2) of the Electricity Act, 2003 praying the Commission to pass interim orders directing the respondents to pay an interim tariff of Rs4.04 per kWh for the energy supplied by it to the respondents during FY 2017-18, pending disposal of the main petition in O.P.No.47 of 2017.

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

The response of the petitioner to the report of the office of the Commission has been filed. Sri M. Venugopala Rao, learned objector has no further written submissions. For any further written submissions of the respondents and for hearing, the matter is posted to 01-12-2018.

Call on: 01-12-2018
at 11:00 AM

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MEMBER / PR

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CHAIRMAN

O.P.No.57 of 2014 & I.A.No.8 of 2015
Sardar Power Pvt Ltd Vs APEPDCL

Petition filed for determination of capital cost and consequent re-determination of tariff for the first 10 years of operation with effect from 17.07.2008 (being COD of the project) pursuant to the Judgment of Hon'ble ATE dt.20.12.2012 in Appeal No.172 of 2011 and batch

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

For hearing at request, the matter is posted to 01-12-2018.

Call on: 01-12 -2018
at 11:00 AM

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Sd/-
CHAIRMAN

O.P.No. 33 of 2017
M/s.NSL Sugars Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri K. Gopal Choudary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted for hearing to 01-12-2018.

Call on: 01-12 -2018
at 11:00 AM

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CHAIRMAN

O.P.No.34 of 2017
M/s. NSL Sugars (Tungabhadra) Ltd Vs APPCC & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for resolving dispute in settlement of annual reconciliation bills under purchase order

Sri K. Gopal Choudary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the utilities, the matter is posted for hearing to 01-12-2018.

Call on: 01-12-2018
at 11:00 AM

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CHAIRMAN

O.P.No.31 of 2017
APSPDCL & APEPDCL Vs M/s. GVK Industries Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 220 MW project at Jegurupadu, East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri Rohan, learned counsel representing Sri Ch. Pushyam Kiran, learned counsel for M/s.GVK Industries Limited / R-1 are present.

Orders pronounced (*vide separate order*)

“11. Accordingly the petition is dismissed without costs. However, the result of this petition will not affect the liberty of the parties to enter into such or any other agreement relating to the subject matter of this petition on their own volition and free will. This order is not an adjudication on the truth or otherwise of the 1st respondent drawing the imported energy in question or on the quantification of such imported energy consumed or its value. If the petitioners are so entitled under law otherwise, they are at liberty to seek appropriate remedies as per law for recovery of the value of any imported energy consumed by the 1st respondent beyond and independent of the terms and conditions of the Power Purchase Agreement between the parties”.

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CHAIRMAN

O.P.No.16 of 2018 & Memo filed by the respondent
APSPDCL Vs M/s. SEI Green Flash Private Limited

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for grant of approval and consent to the 3rd amendment to the PPA dated 05-12-2014 entered between the parties

Memo filed by the respondent herein (petitioner in O.P.No.7 of 2017) praying the Commission to provide clarification and confirm that tariff is payable at the revised rate as per Amended PPA from CoD in line with the terms of the PPA

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. C. Rajesh Babu, learned counsel representing Sri Srinivas Mantha, learned counsel for the respondent are present.

Orders pronounced (*vide separate common order*)

“20. Therefore, the proposed amendments entered into and initialled by the petitioner and the respective respondents in respect of the respective Power Purchase Agreements are hereby consented to by the Commission. The energy pumped into the grid during the period from the synchronization of the project of the respondent in O.P.No.16 of 2018 on 27-10-2017, of the respondent in O.P.No.17 of 2018 on 28-10-2017 and of the respondent in O.P.No.18 of 2018 on 07-11-2017 till 14-06-2018, the date of decision of this Commission in O.P.Nos.7, 8 and 9 of 2017 shall be paid by the petitioner at Rs.3.00 per unit. The amount so payable for the admitted quantity of the energy pumped into the grid from the respective Commercial Operation Dates till 14-06-2018 shall be paid in 12 (twelve) equal monthly installments by 15th of every month, without any interest, commencing from January, 2019. In the event of any default by the petitioner in payment of such installments, the respective respondents are at liberty to approach the Commission for appropriate reliefs. These three Original Petitions are ordered accordingly. No costs”.

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CHAIRMAN

O.P.No.17 of 2018 & Memo filed by the respondent
APSPDCL Vs M/s. SEI Arushi Private Limited

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for grant of approval and consent to the 2nd amendment to the PPA dated 05-12-2014 entered between the parties.

Memo filed by the respondent herein (petitioner in O.P.No.8 of 2017) praying the Commission to provide clarification and confirm that tariff is payable at the revised rate as per Amended PPA from CoD in line with the terms of the PPA

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. C. Rajesh Babu, learned counsel representing Sri Srinivas Mantha, learned counsel for the respondent are present.

Orders pronounced (*vide separate common order*)

“20. Therefore, the proposed amendments entered into and initialled by the petitioner and the respective respondents in respect of the respective Power Purchase Agreements are hereby consented to by the Commission. The energy pumped into the grid during the period from the synchronization of the project of the respondent in O.P.No.16 of 2018 on 27-10-2017, of the respondent in O.P.No.17 of 2018 on 28-10-2017 and of the respondent in O.P.No.18 of 2018 on 07-11-2017 till 14-06-2018, the date of decision of this Commission in O.P.Nos.7, 8 and 9 of 2017 shall be paid by the petitioner at Rs.3.00 per unit. The amount so payable for the admitted quantity of the energy pumped into the grid from the respective Commercial Operation Dates till 14-06-2018 shall be paid in 12 (twelve) equal monthly installments by 15th of every month, without any interest, commencing from January, 2019. In the event of any default by the petitioner in payment of such installments, the respective respondents are at liberty to approach the Commission for appropriate reliefs. These three Original Petitions are ordered accordingly. No costs”.

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CHAIRMAN

O.P.No.18 of 2018 & Memo filed by the respondent
APSPDCL Vs M/s. Rain Coke Limited

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for grant of approval and consent to the 3rd amendment to the PPA dated 08-12-2014 entered between the parties.

Memo filed by the respondent herein (petitioner in O.P.No.9 of 2017) praying the Commission to provide clarification and confirm that tariff is payable at the revised rate as per Amended PPA from CoD in line with the terms of the PPA

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. C. Rajesh Babu, learned counsel representing Sri Srinivas Mantha, learned counsel for the respondent are present.

Orders pronounced (*vide separate common order*)

“20. Therefore, the proposed amendments entered into and initialled by the petitioner and the respective respondents in respect of the respective Power Purchase Agreements are hereby consented to by the Commission. The energy pumped into the grid during the period from the synchronization of the project of the respondent in O.P.No.16 of 2018 on 27-10-2017, of the respondent in O.P.No.17 of 2018 on 28-10-2017 and of the respondent in O.P.No.18 of 2018 on 07-11-2017 till 14-06-2018, the date of decision of this Commission in O.P.Nos.7, 8 and 9 of 2017 shall be paid by the petitioner at Rs.3.00 per unit. The amount so payable for the admitted quantity of the energy pumped into the grid from the respective Commercial Operation Dates till 14-06-2018 shall be paid in 12 (twelve) equal monthly installments by 15th of every month, without any interest, commencing from January, 2019. In the event of any default by the petitioner in payment of such installments, the respective respondents are at liberty to approach the Commission for appropriate reliefs. These three Original Petitions are ordered accordingly. No costs”.

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MEMBER / PRM

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CHAIRMAN