

RECORD OF PROCEEDINGS DATED 26-10-2022**OP No.52 of 2022
APSLDC Vs. Nil**

Petition filed by the Andhra Pradesh Load Dispatch Centre (APSLDC) requesting to issue a Comprehensive Deviation Settlement Mechanism (C-DSM) Regulation.

Sri P. Shiva Rao, learned Standing Counsel for APSLDC is present at the hearing.

No objections are filed. However, at the hearing, Sri Sricharan Telaprolu, learned counsel, submitted that in respect of the DSM Regulation relating to Renewable Energy Power, a batch of Writ Petitions is pending before the Honourable High Court of Andhra Pradesh, and that, therefore, if the Commission intends to make DSM Regulations, the same may be confined only to Conventional Power. No other objections have been received.

Orders reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

**OP No. 55 of 2022 & IA No. 1 of 2022
M/s. MOR Alloys Pvt. Ltd Vs. APEPDCL, APSLDC & APTRANSCO**

Petition filed under Section 86(l)(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 of2006) along with amendments made from time to time

I.A. Petition under Section 86(l)(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 of2006) along with amendments made from time to time.

Sri. M.Abhinay Reddy, counsel representing Sri P.Vikram, learned counsel for the petitioner; and Sri P. Shiva Rao, learned Standing Counsel for respondents, are present at the hearing.

OP allowed (vide separate order).

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 56 of 2022 & IA No. 1 of 022
M/s Ramson Asbestos Cement Products Vs. APTRANSCO & APSPDCL

Petition filed under the Sections 86(1)(a), 86(1)(b) and 86(1)(e) of the Electricity Act, 2003, for approval of generic tariff at Rs.3.43/- per unit for sale of wind power to the A.P. DISCOMS, for PPA dt.31-01-2012 in the state of Andhra Pradesh, after expiry of the ten year period in terms of the Order dated 01.05.2009 passed by this Hon'ble Commission in O.P Nos. 6 and 7 of 2009

I.A Petition filed under the Sections 86(1)(a), 86(1)(b) and 86(1)(e) of the Electricity Act, 2003, for approval of generic tariff at Rs.3.43 ps per unit for sale of wind power to the A.P. DISCOMS for PPA dt.31-01-2012 in the state of Andhra Pradesh, after expiry of the ten year period in terms of the Order dated 01.05.2009 passed by this Hon'ble Commission in O.P Nos.6 and 7 of 2009

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

Sri P. Shiva Rao, the learned Standing Counsel, takes notice for the respondents and seeks time or filing counter. Four weeks' time is, accordingly, granted.

Call on 14-12-2022.

Meanwhile, the petitioner shall carry out publication under Section 64(2) of the Electricity Act, 2003.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No.12 of 2020 & IA No. 3 of 2020 IA No. 1 of 2021
M/s. Aarohi Solar Private Ltd.& 4 others Vs. APSPDCL

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes arising out of the Power Purchase Agreements dated 05-12-2014 entered by them with APSPDCL and seeking directions to the APSPDCL to act in accordance with terms of the PPA in connection with charges for drawl of power by their solar power generating stations for the auxiliary consumption.

I.A. No. 3 of 2020 filed u/s 94 (2) of the Electricity Act, 2003 sought for stay on the demand notices and invoices in connection with charges for drawl of power by the generating stations for their auxiliary consumption.

IA No. 1 of 2021 - Application filed by the petitioner u/s 94 (2) of the Electricity Act, 2003 seeking appropriate direction(s) / order(s) against the respondent to not initiate any coercive or precipitative actions against the applicants, till the final disposal of the present petition

Sri Aniket Prasoon, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for respondents are present at the hearing.

Sri Aniket Prasoon, learned counsel for the petitioners, submitted that he is newly appointed for the petitioners. He further submitted that since complete case record is not available with him, he may be permitted to go through the Commission's record. He also requested an adjournment for advancing his submissions. Accordingly, permission, as requested, is granted.

Call on 14-12-2022.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

**OP No. 3 of 2022 & IA No 1 of 2022
New Era Enviro Venture (Mahabubnagar) 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.

IA No. 1 of 2022 - Petitioner also filed an application under Section 94 (1) (2) of the Electricity Act, 2003 R/w. Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 seeking a direction to the Respondent to release at least 50% of the total outstanding amount.

Sri. Raghavendra Sudheer, Senior Manager (Legal), representing Sri V.Akshaya Babu, learned counsel for the petitioner, and Sri P. Shiva Rao, learned Standing Counsel for respondent are present at the hearing.

Order dated 10-8-2022 is not complied with.

Hence, the Managing Director of the APSPDCL and the Joint Managing Director, APTRANSCO/Member Convenor, APPCC shall be personally present and explain the reasons for non-compliance.

Call on 23-11-2022.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 64 of 2021
M/s. Khandke Wind Energy Pvt Ltd Vs.APSPDCL

Petition u/s 86 (1) (e) and Section 86 (1) (f) of the Electricity Act, 2003 r/w Article 10 of the Power Purchase Agreements filed on behalf of M/s. Khandke Wind Energy Pvt Ltd for immediate strict compliance by APSPDCL with the provisions of the various Power Purchase Agreements entered into between the parties and for release of amount due

Sri. Raghavendra Sudheer, Senior Manager (Legal), representing Sri V.Akshaya Babu, learned counsel for the petitioner; and Sri P. Shiva Rao, learned Standing Counsel for respondent, are present at the hearing.

Order dated 10-8-2022 is not complied with.

Hence, the Managing Director of the APSPDCL and the Joint Managing Director, APTRANSCO/Member Convenor, APPCC shall be personally present and explain the reasons for non-compliance.

Call on 23-11-2022.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No 13 of 2022 - APSPDCL
OP No 19 of 2022 - APEPDCL
OP No 20 of 2022 - APCPDCL

Petitions filed seeking pass through of Fuel & Power Purchase Cost Adjustment (FPPCA) for 2nd quarter for FY 2021-22 (July 2021 to September 2021)

Sri P. Shiva Rao, learned Standing Counsel for the petitioners-DISCOMS and Sri M.Venugopala Rao & Sri Vijay Gopal Reddy, learned Objectors, are present at the web hearing.

Heard the reply of Sri P.Shiva Rao, learned Standing Counsel for the petitioners-DISCOMS; submissions of Sri M.Venugopala Reddy, one of the objectors; and the further submissions of Sri Venugopala Rao, Objector.

Orders reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

**O.P.No. 18 of 2020 & IA No.42 of 2020 and IA No. 3 of 2021
M/s. Kandaleru Power Company Ltd Vs. 1) CMD/APSPDCL
2) CE/IPC, PP&S/ APSPDCL, 3) GM/OPC/PP&S/APPCC
4) SE/Opt Circle/ APSPDCL,Nellore**

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation, 1999, seeking adoption of tariff discovered through competitive bidding for procurement of 6 MW capacity power from the petitioner's Mini Hydel Project at Khandaleru Reservoir, Khandaleru, Nellore District in terms of the PPA dated 16-02-2019

IA No. 42 of 2020 - Application filed by the petitioner u/s 142 of the EA, 2003 r/w Regulations 55 of the APERC (Conduct of Business) Regulation, 1999 for violating and dis-obeying the orders passed by the Commission dt.17-03-2020 and 26-08-2020 in IA No. 4 of 2020 in OP No. 18 of 2020

IA No. 3 of 2021 - Application filed by the petitioner under Regulation 16 r/w Regulation 55 of the APERC (Conduct of Business) Regulation 1999 to permit the petitioner to withdraw the prayers in OP No. 18 of 2020

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

OP disposed of, vide separate order.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

**OP No. 117 of 2021
Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL
OP No. 118 of 2021
Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL**

Petition filed under Section 33 (4) r/w Sections 86 (1) (e), (f) & (k) of the Electricity Act, 2003 questioning the alleged wrongful curtailment of power of the petitioner by APSLDC / Respondent No. 1 and sought appropriate orders inter-alia, against the respondents to not issue curtailment instructions.

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

The guidelines from the FOR are still awaited. Hence, the OPs are adjourned,.
Call on 18-1-2023.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 31 of 2022
Mytrah Vayu (Pennar) Pvt. Ltd., Vs. APSPDCL
&
OP No. 37 of 2022 & OP No. 38 of 2022
Indian Oil Corporation Ltd., Vs. APSPDCL

Petition filed under Sections 86 (I)(a), 86 (I)(b) and 86 (I)(e) of the Electricity Act, 2003, seeking Approval of Tariff of at least Rs.3.43/- per unit or higher for sale of Wind Power by the Petitioner's 16.8 MW Wind Power Plant to the Respondent herein for the PPA dated 27.04.2012 for the balance tenure from 11th year to operation to 20th year in terms of the Order dated 01.05.2009 passed by this Hon'ble Commission in O.P Nos.6 and 7 of 2009.

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

Heard. Orders reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 22 of 2022
Vayu Urja Bharat Pvt Ltd., Vs. APSPDCL

Petition under section 86(1)(f) of the Electricity Act, 2003 read with applicable provisions of the Power Purchase Agreement dated 28-07-2016 and this Hon'ble Commission's Judgment dated 31-08-2019 in OP No. 35 of 2019, inter alia seeking direction to the Respondent for payment of the outstanding late payment surcharge accrued pursuant to the consistent delayed payment of the invoices from March, 2107 till October 2020

OP No. 4 of 2022
M/s. Aeolus Wind Parks Pvt. Ltd Vs. APSPDCL & APPCC
OP No. 5 of 2022 & OP No. 6 of 2022
M/s. Danu Wind Parks Pvt Ltd Vs. APSPDCL & APPCC
OP No. 7 of 2022
M/s. Dindore Wind Parks Pvt Ltd Vs. APSPDCL & APPCC
OP No. 8 of 2022
M/s. Fujin Wind Parks Pvt Ltd Vs. APSPDCL & APPCC

Petitions filed under Sections 86(1)(f) and (e) of the Act, Regulation 8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking directions to APSPDCL for payment of outstanding amounts and Late Payment Surcharges.

OP No. 12 of 2022
M/s. Palnadu Solar Power Pvt Ltd Vs. APCPDCL & APPCC

Petition under Section 86(I)(f) r/w. Section 86(I)(e) of the Electricity Act, 2003, Regulation 8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 seeking direction to the Respondents for releasing payment of the outstanding amounts along with interest on delayed payment of invoices towards sale of Solar Power as per the PPA.

OP No. 89 of 2021
M/s. Mytrah Vayu (Pennar) Private Limited Vs. APSPDCL & APPCC

Petition filed under Section 86(1)(f) of the Electricity Act, 2003, R/w. APERC (Conduct of Business) Regulations, 1999 seeking direction to the respondents for releasing payment against the outstanding monthly invoices towards sale of wind energy along with the interest/delayed payment surcharge as per Articles 2.2 and 5.2 of the Power Purchase Agreement dated 27.04.2012.

Sri Aniket Prasoon, learned counsel for the petitioner in O.P No.22 of 2022; Sri. Challa Gunaranjan, learned counsel for the petitioners in OP Nos.12 of 2022 and 89 of 2021; and Sri P. Shiva Rao, learned Standing Counsel for respondents are present at the hearing.

Sri P. Shiva Rao, learned Standing Counsel for respondents, submitted that the learned Advocate General is unable to appear today because of his preoccupation and requested an adjournment.

Call on 14-12-2022.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR