

Record of proceedings dated 29-06-2019

O.P.No.42 of 2019
M/s. Srivathsa Power Projects Pvt Ltd Vs APEPDCL

Petition filed u/s 86 (1) (b) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations to reconsider the fixation of variable cost on pass through basis instead of variable rate of Rs.2.91/- per unit in respect of the petitioner.

Ms. Rashmi G Kamath, Indus Law Firm, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for the respondent and Sri M. Venugopala Rao, learned objector are present.

For filing response of the parties to the objections and counter by the respondent, the matter is posted to 20-07-2019.

Call on: 20-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.46 of 2017
APSPDCL & APEPDCL Vs APGENCO & A.P. Solar Power Corporation Ltd

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for approval of long term Power Purchase Agreement (PPA) signed by APDISCOMs with APGENCO on 01-07-2017 and to pass orders regulating the price for purchase of 400 MW solar power generated from the Ananthapuram-II Ultra Mega Solar Park proposed at Talaricheruvu(V), near Tadipatri, Anantapuramu Dist, AP @the tariff of Rs.3.57/ Kwh

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

At the request of Sri P. Shiva Rao, learned Standing Counsel, to file response of the Government regarding reduction of land price, the matter is posted to 27-07-2019.

Call on: 27-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

Public hearing - draft order dated 22-03-2019 in the matter of determination of variable cost for the period from 01-04-2019 to 31-03-2024 in respect of the existing Biomass, Industrial Waste and Bagasse based power plants.

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for (i) M/s. SNJ Sugars and Products Limited (ii) M/s. CKR Associates (iii) M/s. KCP Sugar and Industries Corporation Limited & (iv) M/s. Navabharat Ventures Limited; Sri T. Krishna Kishore representing M/s. Sri Venkata Sridevi Power LLP; Sri Lalam Raja Babu representing M/s. The Etikoppaka Co-operative Agricultural & Industrial Society Limited; Sri V. Venkata Ramana Raju, Office Manager representing M/s. The Chodavaram Co-operative Sugars Limited and Sri N. Janardhan, Manager representing Biomass Energy Developers Association are present.

At request, to file response of the utilities, the matter is posted to 20-07-2019.

Call on:

20-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

Public hearing in O.P.No.1 to 16, 22 to 26 of 2019 along with connected Power Purchase Agreements (21 Nos.) between M/s Axis Wind Farms (Uravakonda) Pvt. Ltd. and APSPDCL & batch

Public hearing in the petitions filed u/s 61 (h), 62 (1) (a), 64 (1), 86 (1) (a), 86 (1) (b) and 86 (1) (e) of the Electricity Act, 2003 r/w CERC (Terms and Conditions for tariff determination from Renewable Energy Sources) Regulations, 2017 and Section 21 of the A.P. Electricity Reform Act, 1998.

Public hearing on 16 Nos. PPAs (12 + 4) and their amendments in respect of clients of M/s. Suzlon Energy and M/s. Axis Energy Ventures India Pvt Ltd filed by APSPDCL for consent of the Commission

Public hearing on 5 Nos. PPAs and their amendments in respect of clients of M/s. Suzlon Energy and M/s. Axis Energy Ventures India Pvt Ltd filed by APSPDCL for consent of the Commission

Public hearing on 21 Nos PPAs (12 + 4 + 5) and their amendments in respect of client of M/s. Suzlon Energy and M/s. Axis Energy Ventures India Pvt. Ltd filed by APSPDCL for consent of the Commission.

Sri Prahastha M, learned counsel representing Sri Deepak Chowdhury, Indus Law Firm, learned counsel for the petitioners, Sri P. Shiva Rao, learned Standing Counsel for the respondent and Sri M. Venugopala Rao, learned objector are present.

To get instructions from the Government, learned Standing Counsel seeks time and to file memo on the decision of the Government. Hence time extended till 27-07-2019, for the same.

Call on: 27-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.41 of 2019
M/s. Palnadu Solar Power Pvt. Ltd Vs CMD / APSPDCL CE / APPCC /
APTRANSCO and CGM / Projects & IPC / APSPDCL

Petition filed u/s 63 of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 for approval of tariff for the additional capacity of 4.5 MW of the petitioner's solar power project as determined through competitive bidding process.

Sri Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner, Sri P. Shiva Rao, learned Standing Counsel for the respondents and Sri M. Venugopala Rao, learned objector are present.

At request, to file rejoinder, the matter is posted to 20-07-2019.

Call on: 20-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

Public hearing in the matter of granting consent for renewed PPA signed by APDISCOMs for the old stations of APGENCO for the period from 01-04-2019 to 31-03-2024

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

At request, to file response of the APDISCOMs for the objections of the learned objector, time extended till 06-07-2019.

Call on: 06-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

OP No.16 of 2010 & IA No.7 of 2011
Tata Trading Company Vs DISCOMs & APTRANSCO

Petition against the illegal, unilateral and wrongful deductions towards illegal compensation claim for supply of short term power

Interlocutory petition filed by the petitioner in the OP seeking interim orders for release of the amounts on production of bank guarantee pending disposal of the main O.P. i.e., O.P.No.16 of 2010

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

The stay granted by Hon'ble High Court is stated to be still continuing. At request of the learned counsel for both parties, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

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 is present.

The matter is stated to be still pending before the Hon'ble Supreme Court. Hence, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

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 is present.

The matter is stated to be still pending before the Hon'ble Supreme Court. Hence, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

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 petitioner is present.

The matter is stated to be still pending before the Hon'ble Supreme Court. Hence, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.30 of 2017
APSPDCL & APEPDCL Vs M/s. GMR Vemagiri Power Generation 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 370 MW project at Vemagiri (V), Kadium (M), East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the petitioners is present.

The stay granted by Hon'ble High Court is stated to be still continuing. Hence, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

RP No. 1 / 2010 in O.P.Nos.17 to 20 / 2008
M/s. RPP Ltd Vs DISCOMs

Petition for reviewing the tariff order dated 20.03.2009 in O.P. Nos. 17 to 20 of 2008 in respect of wheeling tariff for FY 2009-10 to 2013-14 and RST for FY 2009-10.

Sri P. Shiva Rao, learned Standing Counsel for the respondents is present.

Sri P. Shiva Rao, learned Standing Counsel for the respondents submitted that there is a *status quo* order issued by the Hon'ble Supreme Court in the Special Leave Petition filed against the common order of the Hon'ble High Court of Judicature at

Hyderabad for the State of Telangana and the State of Andhra Pradesh on the issue of jurisdiction and therefore, this review petition has to await further orders of the Hon'ble Supreme Court. Hence, the matter is posted to 03-08-2019.

Call on:

03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

RP No. 2 / 2010 in O.P.No.21 / 2008

M/s. RPP Ltd Vs APTRANSCO

Petition for review of tariff order dated 20.03.2009 in O.P. No.21 of 2008 in respect of transmission tariff for FY 2009-10 to 2013-14.

Sri P. Shiva Rao, learned Standing Counsel for the respondent is present.

Sri P. Shiva Rao, learned Standing Counsel for respondents submitted that there is a *status quo* order issued by the Hon'ble Supreme Court in the Special Leave Petition filed against the common order of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh on the issue of jurisdiction and therefore, this review petition has to await further orders of the Hon'ble Supreme Court. Hence, the matter is posted to 03-08-2019.

Call on:

03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

RP No. 3 / 2010 in O.P.Nos.17 to 20 / 2008
KCP & 2 others Vs APPCC, APTRANSCO & DISCOMs

Petition for reviewing the tariff order dated 20.03.2009 in O.P. Nos. 17 to 20 of 2008 in respect of wheeling tariff for FY 2009-10 to 2013-14 and RST for FY 2009-10.

Sri P. Shiva Rao, learned Standing Counsel for the respondents is present.

Sri P. Shiva Rao, learned Standing Counsel for respondents submitted that there is a *status quo* order issued by the Hon'ble Supreme Court in the Special Leave Petition filed against the common order of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh on the issue of jurisdiction and therefore, this review petition has to await further orders of the Hon'ble Supreme Court. Hence, the matter is posted to 03-08-2019.

Call on:

03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

RP No. 4 / 2010 in O.P.No.21 / 2008
KCP & 2 others Vs APPCC, APTRANSCO & DISCOMs

Petition for review of tariff order dated 20.03.2009 in O.P. Nos. 17 to 20 of 2009 in respect of transmission tariff for FY 2009-10 to 2013-14.

Sri P. Shiva Rao, learned Standing Counsel for the respondents is present.

Sri P. Shiva Rao, learned Standing Counsel for respondents submitted that there is a *status quo* order issued by the Hon'ble Supreme Court in the Special Leave Petition filed against the common order of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh on the issue of jurisdiction and therefore, this review petition has to await further orders of the Hon'ble Supreme Court. Hence, the matter is posted to 03-08-2019.

Call on:

03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

RP No. 5 / 2010 in OP Nos.17 to 20 / 2008
Small Hydro Power Developers Association & 16 others Vs DISCOMs

Petition for reviewing the tariff order dated 20.03.2009 in O.P. Nos. 17 to 20 of 2008
in respect of wheeling tariff for FY 2009-10 to 2013-14 and RST for FY 2009-10.

Sri P. Shiva Rao, learned Standing Counsel for the respondents is present.

Sri P. Shiva Rao, learned Standing Counsel for respondents submitted that there is a *status quo* order issued by the Hon'ble Supreme Court in the Special Leave Petition filed against the common order of the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh on the issue of jurisdiction and therefore, this review petition has to await further orders of the Hon'ble Supreme Court. Hence, the matter is posted to 03-08-2019.

Call on: 03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

Public hearing in the matter of allocating inflated demand by the Andhra Pradesh
Gas Power Corporation Ltd (APGPCL) to its shareholders.

Sri P. Shiva Rao, learned Standing Counsel for the utilities and Ms. Rashhmi
G Kamath, Indus Law Firm, learned counsel for APGPCL are present.

At request of the learned counsel for both parties, the matter is posted to
03-08-2019.

Call on: 03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.37 of 2019
Sri.Ch.Chandramouli & Sri. Ch. Venugopal Rao Vs Shri A.Md. Imtiaz, I.A.S.,
Collector & District Magistrate, Chilakalapudi, Machilipatnam, Krishna District

Petition filed under Sections 142 and 146 of the Electricity Act, 2003

Sri P. Chengal Reddy, learned counsel for the petitioners and Sri P. Shiva Rao,
learned Standing Counsel for the utilities are present.

Sri P. Shiva Rao, learned Standing Counsel filed a letter of the Collector intimating
that the Hon'ble High Court has stayed the order of the Commission in O.P.No.51 of
2017 dated 30-06-2018 in W.P.No.7359 of 2019 dated 26-06-2019 and posted the
matter to 31-07-2019. Hence, the matter is posted to 03-08-2019.

Call on:

03-08-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.30 of 2019
M/s. Sree Rayalaseema Green Energy Ltd Vs CMD / APSPDCL & SE / Operation
Circle / APSPDCL / Kurnool

Petition under Section 86 (1) (f) of the Electricity Act, 2003 claiming interest for late
payment of energy bills by the Distribution Licensee, as per Article 7 sub-section 7.3
of the Power Purchase & Wheeling Agreement

Sri P. Shiva Rao, learned Standing Counsel for the utilities is present.

None appeared for the petitioner. Issue notice to the petitioner intimating that the
time has been extended to file rejoinder till 20-07-2019.

Call on:

20-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.49 of 2017
M/s. Southern Rocks & Minerals Pvt. Ltd Vs APSLDC & 2 others

Petition under Section 86(1) (f) of the Electricity Act, 2003 r/w Clause 15 of Regulation 2 of 2006 & APERC (Conduct of Business) Regulations, 1999 to declare the date of commissioning of its solar plant (1.03 MW) as 16-06-2016 and to extend the benefits and incentives provided under G.O.Ms.No.8 dated 12-02-2015 as adopted in Regulation No.1/2016 & Regulation No.2/2016 by allowing banking facility and scheduling of energy enabling petitioner to utilize the same for its captive use

Sri Deepak Chowdhury, 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 the learned Standing Counsel, to submit response to the documents filed by the petitioner, the matter is posted to 20-07-2019.

Call on: 20-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.34 of 2019
M/s. JSW Power Trading Company Ltd Vs APSPDCL

Petition under Sections 86 (1) (f) & other applicable provisions of the Electricity Act, 2003 and Regulations made thereunder seeking direction to respondent for payment of unlawfully withheld amount including interest for the supply of energy to respondent under Purchase Order dated 21-08-2014 and Power Purchase Agreement dated 29-09-2014

Sri Deepak Chowdary, 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, for filing rejoinder, the matter is posted to 20-07-2019.

Call on: 20-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P. No.31 of 2019
M/s. Azure Power Infrastructure Private Limited Vs APSPDCL

Petition under Section 86 (1) (a) and (b) read with Section 86 (1) (f) of the Electricity Act, 2003 and Article 13 read with Article 11.4 of the Power Purchase Agreement executed between the petitioner and respondent dated 05-12-2014 seeking relief on account of "Change in Law" viz., the introduction of Goods and Services Tax Laws at the Central level and change in the rate of Service Tax, resulting in additional recurring expenditure in the form of an additional tax burden to be borne by the petitioner after the Effective Date of the Power Purchase Agreement

Sri Deepak Chowdary, 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, for filing rejoinder, the matter is posted to 20-07-2019.

Call on: 20-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.27 of 2019
M/s. Spectrum Power Generation Limited Vs APSPDCL & APEPDCL

Petition under Section 62 (1), 86 (1) (b) of the Electricity Act, 2003 read with Clause (55) of APERC (Conduct of Business) Regulations, seeking approval for the tariff (FC & VC) as proposed by them for the FY 2018-19 and FY 2019-20 i.e., fixed cost at Rs.0.92 / Kwh on actual units supplied subject to an overall ceiling of Rs.108.17 crores and change in variable cost from time to time based on revision in natural gas prices with effect from 01-04-2019 as pass through basis

Sri T. Uma Sankar, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

At request, for filing rejoinder, the matter is posted to 20-07-2019.

Call on: 20-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR

O.P.No.35 of 2019
M/s. Vayu Urja Bharat Private Limited Vs APSPDCL

Petition under Section 86 (1) (f) read with 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 (PPA) dated 28-07-2016 seeking direction to the respondent 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 Pratik Das, learned counsel representing Sri Aniket Prasoon, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

Rejoinder filed. For hearing, the matter is posted to 27-07-2019.

Call on:

27-07-2019
at 11:00 AM

Sd/-
MEMBER / PRM

Sd/-
MEMBER/PR