**Record of proceedings dated 15-12-2018**

Public hearing in the matter of Third Amendment to APERC (Supply Code) Regulation, 2004 (Regulation No. 5 of 2004)

Sri P. Shiva Rao, learned Standing Counsel for both the Distribution Companies of Andhra Pradesh and Sri Alladi Ravinder, learned counsel for TGVSRAAC Limited for the objectors, are present. For hearing, the matter is posted to 22-12-2018.

Call on: 22-12-2018

 at 11:00 AM

 Sd/- Sd/-

 MEMBER / PR CHAIRMAN

Public hearing in the matter of Second Amendment to APERC (Security Deposit) Regulation, 2004 Regulation No. 6 of 2004

Sri P. Shiva Rao, learned Standing Counsel for both the Distribution Companies of Andhra Pradesh and Sri Alladi Ravinder, learned counsel for TGVSRAAC Limited for the objectors, are present. For hearing, the matter is posted to 22-12-2018.

Call on: 22-12-2018

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR CHAIRMAN

Public hearing in the matter of Fourth Amendment to APERC (Interim Balancing & Settlement Code for Open Access Transactions) Regulation, 2016 Regulation No. 2 of 2016

Sri P. Shiva Rao, learned Standing Counsel for the AP Transco, Sri Nazer Ahmed, Consultant for A.P. Mini Hydel Power Developers Association and Sri Challa Gunaranjan, learned counsel for South Indian Sugar Mills Association, AP Branch for the objectors, are present. For hearing, the matter is posted to 22-12-2018.

Call on: 22-12-2018

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR CHAIRMAN

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 District, AP@ the tariff of Rs.3.57 / Kwh .

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri D.V.S. Someswara Rao, SAO / Commercial, AP Genco are present. The response of the State Government to the request of the petitioners for reduction in the land cost is not yet received according to the learned Standing Counsel. The letter from the Managing Director, Andhra Pradesh Power Generation Corporation Limited dated 08-11-2017 itself stated about the Sub-Registrar’s valuation of the lands in the locality being only Rs.1,20,000/- per acre for Talaricheruvu and Aluru villages. Cost of the land was requested to be provided at a nominal value of Rs.10,000/- per acre and hence, it is appropriate to issue a notice to the Principal Secretary, Energy, Government of Andhra Pradesh to place before the Commission, the response of the State Government to the request of the AP Genco and the reasons therefor. The Principal Secretary, Energy, Government of Andhra Pradesh may also be requested to impress upon the State Government that the latest trends in the quoted price of electricity for solar power in competitive bidding reached a low of Rs.2.44 ps per unit and that the alienation of the land by the State Government is requested only in favour of AP Genco, which again is a cent percent State Government owned undertaking. In the interests of AP Genco, AP Transco and AP Distribution Companies, which are owned by the State Government itself and in the interests of the electricity consumers of the State of Andhra Pradesh, the State Government may exercise its administrative discretion and jurisdiction to alienate the land in question to AP Genco for a nominal price under the circumstances. These considered views of the Commission be placed before the State Government by the Principal Secretary, Energy, Government of Andhra Pradesh and the response of the State Government be placed before the Commission by the next date of hearing. Hence, the matter is posted to 05-01-2019.

Call on: 05-01-2019

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR CHAIRMAN

I.A. No. 12 of 2017 in O.P. Nos. 1 & 2 of 2015

APSPDCL & APEPDCL Vs GoAP

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 is present.

At request of Sri P. Shiva Rao, learned Standing Counsel for the petitioners, the matter is posted for hearing to 29-12-2018.

Call on: 29-12-2018

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR CHAIRMAN

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

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

At request, the matter is posted to 22-12-2018.

Call on: 22-12-2018

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR 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 and Sri K. Gopal Choudary, learned *Amicus Curiae* are present.

At request, the matter is posted to 22-12-2018.

Call on: 22-12-2018

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR CHAIRMAN

O.P.No.47 of 2017 & I.A. No. 28 of 2017

A.P. Power Development Company Ltd (APPDCL) Vs APSPDCL & APEPDCL

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

At request, the matter is posted to 22-12-2018.

Call on: 22-12-2018

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR CHAIRMAN

O.P.No.10 of 2018

M/s. SNJ Sugars and Products Ltd Vs APTRANSCO & APSPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 for recovery of Rs.62,86,451/- along with interest of Rs.1,23,71,566/-, totalling to an amount Rs.1,86,58,017/- towards balance amount, payable for the energy supplied by the petitioner during the period from 21-01-2004 to 31-03-2004 as per tariff determined by the APERC vide order dated 27-08-2012 in R.P.No.10 of 2003 and in terms of the tariff agreed as per PPA dated 10-07-2002 and future interest

Sri M.S. Prasad, learned Senior Counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Heard Sri M.S. Prasad, learned Senior Counsel for the petitioner. For reply of the respondents, at the request of Sri P. Shiva Rao, learned Standing Counsel for the respondents, the matter is posted to 22-12-2018.

Call on: 22-12-2018

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR CHAIRMAN

O.P.No.23 of 2018

M/s. Ananthapur MSW Private Limited Vs APSPDCL & 3 others

Petition under Section 86 (1) (b) and other relevant provisions of the Electricity Act, 2003 seeking approval of tariff of Rs.7.50ps for the entire plant capacity in pursuance of the amendment dated 19-07-2018 to the Power Purchase Agreement dated 24-08-2016

Sri Narayana, General Manager representing the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents 1 and 3 are present.

Time extended, at request, for counters of respondents 1 and 3, till 29-12-2018.

Call on: 29-12-2018

 at 11:00 AM

Sd/- Sd/-

 MEMBER / PR CHAIRMAN

O.P.No.24 of 2018

M/s. Envikare Green Energy Pvt. Ltd Vs APSPDCL & 2 others

Petition under Section 86 (1) (b) and other relevant provisions of the Electricity Act, 2003 seeking approval of tariff of Rs.7.50ps for the entire plant capacity in pursuance of the amendment dated 19-07-2018 to the Power Purchase Agreement dated 09-08-2016

Sri Suresh Challa, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents 1 and 2 are present.

Time extended, at request, for counters of respondents 1 and 2, till 29-12-2018.

Call on: 29-12-2018

 at 11:00 AM

 Sd/- Sd/-

 MEMBER / PR CHAIRMAN

O.P.No.25 of 2018

APSPDCL Vs M/s. Waaneep Solar Pvt. Ltd.

Petition filed under Section 86 (1) (b) of the Electricity Act, 2003 for grant of approval and consent to the amended PPA to 25 MW Solar Power Project at 132 KV Voltage Level of 132 / 33 KS SS Nagari, Chittoor District

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

Heard Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri Srinivas Mantha, learned counsel for the respondent.

The respondent has no counter and has no objection for the reliefs claimed by the petitioner being granted. This petitioner proposes to incorporate certain amendments in the existing Power Purchase Agreement between the parties to give effect to and implement the orders of this Commission in O.P.No.16 of 2017 dated 14-06-2018. The adoption of the lower tariff of Rs.3.74 ps per kWh and taking the Scheduled Commercial Operation Date as 02-08-2018, the actual date of commissioning of the project, apart from deletion of clause 10.5 are in tune with the said orders of the Commission and are in the best interests of the petitioner and the consumers, while the respondent had the advantage of having the Power Purchase Agreement between the parties restored to life, notwithstanding the delay in commissioning of the project earlier as originally agreed upon between the parties. Therefore, the prayer for giving consent for the proposed amendments has to be accepted in the interests of justice.

Therefore, the consent of the Commission for the proposed amendments entered into and initialled by the petitioner and the respondent is hereby granted and the Original Petition is allowed accordingly. No costs.

 Sd/- Sd/-

 MEMBER / PR CHAIRMAN

O.P.No.33 of 2017
FOR ORDERS

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

Orders are not ready. For orders, the matter is posted to 29-12-2018.

Call on: 29-12-2018

 at 11:00 AM

 Sd/- Sd/-

 MEMBER / PR CHAIRMAN

O.P.No.34 of 2017
FOR ORDERS

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

Orders are not ready. For orders, the matter is posted to 29-12-2018.

Call on: 29-12-2018

 at 11:00 AM

 Sd/- Sd/-

 MEMBER / PR CHAIRMAN

E.P.No.1 of 2017 in Appeal No.228 of 2012 (on the file of the Hon’ble Appellate Tribunal for Electricity)

M/s. S.N.J. Sugars & Products Limited Vs CMD / AP Transco & 3 others

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

Notices have been given to Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities. Both the learned counsel have stated that they have instructions from the respective parties. The order of the Hon’ble Appellate Tribunal for Electricity dated 05-12-2018 directs this Commission to release an amount of Rs.4,00,00,000/- in favour of the petitioner, out of the amount in deposit with the Commission. Both the learned counsel have agreed that the order of the Hon’ble Appellate Tribunal for Electricity has to be implemented.

Therefore, the quantum of amount in deposit with this Commission to the credit of this matter be verified and certified by the Accounts branch of the office of the Commission and out of the same, an amount of Rs.4,00,00,000/- (Rupees four crores only) be released in favour of the petitioner, M/s. S.N.J. Sugars & Products Limited and the amount be transferred to its credit in accordance with the prescribed procedure. This interlocutory request is ordered accordingly. Submit the information on the compliance of its directions to the Hon’ble Appellate Tribunal for Electricity, after the transfer of the amount is effected.

 Sd/- Sd/-

 MEMBER / PR CHAIRMAN