

Record of Proceedings Dated 12-06-2024

OP No.24 of 2024

M/s. ReNew Pvt. Ltd. (Earlier known as ReNew Power Pvt. Ltd.)

M/s Helios Infratech Pvt. Ltd,

M/s ReNew Vayu Urja Pvt. Ltd.

M/s Zemira Renewable Energy Ltd,

M/s ReNew Solar Energy (Karnataka) Pvt. Ltd.

M/s ReNew Wind Energy (Shivpurjl Pvt. Ltd,

M/s Molagavalli Renewable Pvt. Ltd.

M/s Ostro Anantapur Pvt. Ltd,

M/s Ostro Andhra Wind Pvt. Ltd.

M/s Ostro AP Wind Pvt. Ltd.

Vs.

Andhra Pradesh Power Coordination Committee,

Southern Power Distribution Company of Andhra Pradesh Ltd

Petition under Section 86(1)(b) and Section 86(1)(f) of the Electricity Act, 2003 seeking direction for payment of outstanding Late Payment Surcharge (as on 03.06.2022) payable by the Respondents for the delay in payment.

Sri Yashaswi Kant, counsel representing Sri P.S.S. Bhargava, learned Counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

During the hearing, the issue of maintainability of a single OP by as many as 10 petitioners has cropped up. The learned counsel for the petitioner submitted that a single OP is filed since Petitioner No.1 is a holding company of petitioners No. 2 to 10. It is, however, not disputed that each of the petitioners holds a separate PPA and that individual relief, though similar in all cases, is claimed. Therefore, even if, for convenience, a single OP is filed, the petitioners

have to pay separate court fees in each of these cases. One week's time is accordingly granted for payment of the balance fees.

Call the OP on 19-06-2024 for compliance regarding payment of proper fees.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 12 of 2024

M/s. Hinduja National Power Corporation Limited (HNPCL)

Vs.

APSPDCL, APEPDCL and APCPDCL

(Petition for determination of additional Capital Cost of the coal fired power station of 1040 MW (2 x 520 MW) capacity in the district of Visakhapatnam for determination of Tariff for supply of Electricity by a Generating Company and purchase of Electricity by Distribution Licensees for the FY 2025, FY 2026, FY 2027, FY 2028 and FY 2029 and Multi Year ARR & Tariff Framework (MYF) for the Fifth Control Period (FY 2024-25 to FY 2028-29) for its Generation and Sale of Electricity business under Clause 10 of Regulation 1 of 2008 of 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) Regulations, 2008 read with sections 61, 62 & 64 of the Electricity Act, 2003).

Sri L.Venkateswara Rao, counsel representing 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.

Further time for filing counter is requested by Sri P Shiva Rao learned standing counsel for the respondent. Accordingly, four week's time is granted for filing counter. Since the OP pertains to fixing the MYT tariff, the procedure stipulated under Section 64 of the Electricity Act, 2003 must be followed. Accordingly, the petitioner shall carry out publication in two newspapers i.e., Sakshi (Telugu) and Deccan Chronicle (English) of Andhra Pradesh Editions and

the time is granted up to 10-07-2024. The office shall also post the Public Notice on the homepage of the website.

Call on 10-7-2024 for proof of publication and also for filing counter, if any.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP NO. 15 of 2024

M/s.Hinduja National Power Corporation Limited Vs. APSPDCL & Ors

(Petition filed under Section 86(1)(b) and (f) of the Electricity Act, 2003 r/w. 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 seeking recovery of actual expenditure incurred on account of (a) Fly Ash Disposal; (b) Additional O&M Expenses; (c) Part Load Compensation; and (d) Statutory Charges/Change in law with respect to 1040 MW (2 x 520 MW) Thermal Power Project of the petitioner in terms of the Revised Consolidated PPA dated 16.02.2024 and the terms of liberty granted by this Hon'ble Commission, vide: Order dated 01.08.2022 passed in O.P. Nos. 21 of 2015 and 19 of 2016)

Sri L.Venkateswara Rao, counsel, representing 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.

Further time for filing counter is requested by Sri P Shiva Rao learned standing counsel for the respondent. Accordingly, four week's time is granted for filing counter.

Call on 10-07-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 17 of 2024
Andhra Pradesh Power Development Co Ltd
Vs.
APCPDCL, APSPDCL, APEPDCL

(Petition filed under Section 86(1)(f) of the Electricity Act, 2003 seeking a direction to the respondents for payment of fixed charges from FY 2015-16 to FY 2023-24 relating to Stage-I of Sri Damodaram Sanjeevaiah Thermal Power Station).

Sri Deepak Chowdary, counsel representing Sri K.Gopal Choudary, learned Counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

On the objection raised by the learned counsel for the petitioner, Sri P. Shiva Rao, standing counsel for the respondent submitted that a separate verification affidavit will be filed by respondent No.3, indicating that he is authorised to file the counter affidavit on behalf of all the 3 respondents.

Call on 19-06-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 13 of 2024
Eastern Power Distribution Company of A.P.Ltd., (APEPDCL)

(Petition filed under Section 86(1)(b) and Section 62 of the Electricity Act 2003 read with Clause-8 of the APERC (Conduct of Business) Regulations. 1999 for determination of Pooled Cost of Power Purchase for the year 2022-23 to be considered for the 2023-24)

OP No. 19 of 2024
M/s.Andhra Pradesh Central Power Distribution Corporation Limited
(APCPDCL)

(Petition filed under Section 86 (1) (b) and Section 62 of Electricity Act 2003 read with Regulation 8 of APERC (Conduct of Business) Regulations, 1999 for computation of Pooled Cost of Power Purchase of the year 2022-23 to be considered for the year 2023-24).

OP No. 16 of 2024

APEPDCL Vs. M/s The Chodavaram Cooperative Sugars Limited

(Petition filed under Section 86 (1) (b) read with Section 86 (1)(e) of the Electricity Act, 2003, seeking approval for the continuation agreement entered on 15.03.2024 between APEPDCL and M/s.The Chodavaram Cooperative Sugars Limited for procurement of Power from their 7 MW Bagasse Based Co-generation power plant located at Govada Village, Chodavaram Mandal in Anakapalli District in Andhra Pradesh)

Sri P.Shiva Rao, learned Standing Counsel for the Petitioner; and Sri Y.S.Naidu, Managing Director, Chodavaram Cooperative Sugars Ltd., are present at the hearing.

Sri M. Venugopala Rao, learned objector and Sri U.M.Kumar, Secretary, AP Textile Mills Association, submitted their representations seeking further time to file objections. They have also pointed out that the Public notice published in the newspapers has not been placed on the Commission's website. In view of these representations, three more weeks time for filing objections is granted. The office is also directed to place the public notice on the homepage of the Commission's website.

call on 10-07-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 18 of 2024

APSPDCL Vs. M/s.National Aluminium Company Ltd.,

(Petition filed under Section 86(1)(b) r/w. Section 86(1)(e) of the Electricity Act, 2003, seeking approval for the continuation agreement entered on 26.02.2024 between APSPDCL and M/s. NALCO for procurement of Power from their 50.4 MW Wind Power Plant located at Gandikota, Jammalamadugu in YSR District).

Sri P.Shiva Rao, learned Standing Counsel for the Petitioner, is present at the hearing. Despite the service of notice and paper publication, no one appeared for the respondent.

Sri P. Siva Rao, learned Standing Counsel for the Petitioner , requested an adjournment to enable the service of fresh notice to the respondent.

Call on 24-07-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No.9 of 2024

M/s.VishWind Infrastructure LLP Vs. APSPDCL, APTRANSCO & APPCC

(Petition filed under Section 86 of the Electricity Act,2003 r/w.Clauses-55 and 62 of the APERC (Conduct of Business) Regulations, 1999 seeking execution/implementation of the Order dated 20-12-2023 passed in OP No.3 of 2023 by initiation of proceedings under Sections 142 and 146 of the Act.

OP No.10 of 2024

M/s.Vayu (India) Power Corporation Pvt Ltd

Vs.

APSPDCL, APTRANSCO, APPCC

(Petition under Section 86 of the Electricity Act,2003 r/w Clauses-55 and 62 of the APERC (Conduct of Business) Regulations, 1999 seeking execution/implementation of the Order dated 20-12-2023 passed in OP No.13 of 2023 by initiation of proceedings under Sections 142 and 146 of the Electricity Act, 2003.

Sri Vineet Kumar, counsel representing Mr. Shri Venkatesh, learned Counsel for the Petitioners; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

OP disposed of (vide separate order)

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 pendente lite interest)

Sri Avijeet Lala, 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.

After arguing the case for some time, Sri Abijeet Lala learned counsel for the petitioner, requested an adjournment to make further submissions.

Call on 24-07-2024

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

**Public hearing on Determination of Variable cost for the
FY 2024-25 to FY 2028-29 in respect of the existing Biomass,
Industrial Waste and Bagasse-based power plant**

Sri Ch.V.S.Prasannanjaneyulu, learned objector representing M/s 3F Industries Ltd.,; and Sri P. Shiva Rao learned standing counsel for APDISCOMs are present.

In response to the public notice, two objectors, namely M/s 3F Industries Limited and M/s REDAN Infrastructure Private Limited, filed their

objections. Sri P. Siva Rao, the learned counsel, requested time to file counter, and 4 weeks' time is accordingly granted.

Call on 24-07-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS