

## **Record of Proceedings Dated 10-07-2024**

### **OP No. 30 of 2024 & IA No.1 & 2 of 2024**

#### **M/s Azure Power Infrastructure Private Limited Vs. APSPDCL & Anr.**

Petition under Section 86(1) (f) of the electricity Act,2003 read with the relevant provisions of the power purchase Agreement dated 05.12.2014 impugning the legality and validity of Notice dated 14.06.2024 and 26.06.2024 issued by the Respondent No.1 to the petitioner and Letter dated 19.03.2024 issued by the Respondent No.2 to the Petitioner.

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Ms.Shika Sood, Counsel representing Sri Shashwat Kumar, learned Counsel for the Petitioners; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Ms.Shika Sood, Learned counsel for the Petitioner submitted that, her client is prepared to disconnect the extra DC panels of the capacity of 4.33 MW today itself and completely dismantle the additional DC panels as early possible and not later than 30 days from today and send an email to that effect today itself to the Respondents. In view of this categorical submission made by the learned counsel for the Petitioner, the Respondents are directed not to terminate the PPA if they received such a letter giving the undertakings to the above effect today itself.

By the next date of hearing the Petitioner shall report to the Commission on the dismantling of the additional DC panels. Call on 28-08-2024.

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).

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Sri L.Venkateswara Rao, counsel representing Sri P.Ravi Charan, learned counsel for the Petitioner and ; Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Further time for filing Counter is prayed for by the counsel for the Respondents. Four weeks time is accordingly granted.

Call on 11-09-2024.

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)

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Sri L.Venkateswara Rao, counsel, representing Sri P.Ravi Charan, learned Counsel for the Petitioner and ; Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Counsel for the respondent requested time for filing counter. Four weeks time is accordingly granted.

Objections have been filed by Sri M. Venugopala Rao and Sri U.M.Kumar, Secretary, APTextile Mills Association, wherein, they have inter-alia requested the Commission to hold the hearing in virtual mode. Date of hearing will be fixed after the respondent files the counter.

Call on 11-09-2024.

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).

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**OP No. 20 of 2024**

**M/s. Southern Power Distribution Company of A.P Limited (APSPDCL)**

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

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**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)

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Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the Petitioners and; Sri Y.S.Naidu, Managing Director, Chodavaram Cooperative Sugars Ltd., are present at the hearing.

Objections have been filed by Sri M. Venugopala Rao and Sri U.M.Kumar, Secretary, APTextile Mills Association, wherein, they have inter-alia requested the Commission to conduct public hearing through virtual mode. Arrangements for virtual mode of hearing shall be made.

Call on 11-09-2024

Sd/-  
**MEMBER/PVRR**

Sd/-  
**CHAIRMAN**

Sd/-  
**MEMBER/TRS**

**OP No. 117 of 2021 & IA No.1 of 2024**

**Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL**

**&**

**OP No. 118 of 2021**

**Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL**

(Both the Petitions are filed under Section 33(4) r/w Sections 86(1)(e), (f) & (k) of the Electricity Act, 2003 challenging the alleged wrongful curtailment of power of the petitioner by Respondent

No.1-APSLDC and seeking appropriate directions to the the Respondents not to issue curtailment instructions and to direct them to pay the amounts due towards deemed generation)

**IA No.1 of 2024 in OP No.117 of 2021**

(This Interlocutory Application is filed by APSLDC-respondent No.1, under Clause-55 of the APERC (Conduct of Business) Regulations, 1999, seeking appointment of a Technical Expert, including an official working in the Central Electricity Authority to give his opinion on the Data submitted by it in respect of compliance or non-compliance of the FOR Guidelines).

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**OP Nos.117 and 118 of 2021:**

Sri Mridul Chakravarty, counsel, representing Sri Hemant Singh, learned counsel for the petitioners; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

As no consensus has been reached on the names suggested by both parties, the Commission has decided to refer the issues to IDAM Infra. Both the learned counsel fairly agreed for reference for involving IDAM Infra for analysing the data submitted by both parties and submitting the report to the Commission. They also agreed to share the fees charged by IDAM in equal proportion. A separate reference order would follow.

Sd/-  
**MEMBER/PVRR**

Sd/-  
**CHAIRMAN**

Sd/-  
**MEMBER/TRS**

**OP No. 4 of 2023**

**Kreate Energy India Pvt. Ltd. Vs. APSPDCL**

(Petition filed under Section 86(1)(f) of the Electricity Act, 2003 for adjudication of the disputes between the Petitioner and the Respondent relating to supply of power for the period from January, 2018 to October, 2019 in terms of the power banking arrangement between the parties)

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Sri Sreenivasa Reddy, counsel, representing Sri Adarsh Tripathi, learned counsel for the Petitioner; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Learned counsel for the petitioner submitted that negotiations for out-of-court settlement are still inconclusive. He requested further time for reporting the result of the negotiations.

Call on 11-09-2024

Sd/-  
**MEMBER/PVRR**

Sd/-  
**CHAIRMAN**

Sd/-  
**MEMBER/TRS**

**OP No. 12 of 2023 & IA No.1 of 2024**

**M/s Walwhan Renewable Energy Ltd Vs. APSPDCL, APSLDC, APTRANSCO**

**OP No. 12 of 2023:**

Petition filed under Section 86(1)(e) r/w. Section 86(1)(f) of the Electricity Act, 2003 seeking appropriate directions to the Respondents to compensate the Petitioner for the actual loss of revenue suffered by it on account of frequent and rampant backing down instructions given to the Petitioner on account of the inadequacy of Transmission System and alleged grid safety issues)

**IA No.1 of 2024:**

This Interlocutory Application is filed by the respondents in the main OP, seeking appointment of a Technical Expert, including an official working in Central Electricity Authority, to give their opinion as to the Data submitted by the applicants herein with respect to the compliance or otherwise of the FOR Guidelines/IEGC.

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Sri Suhael Buttan, counsel representing Mr. Shri Venkatesh, learned counsel for the petitioner; and Sri G.V.Brahmananda Rao, counsel representing Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

As no consensus has been reached on the names suggested by both parties, the Commission has decided to refer the issues to IDAM Infra. Both the learned counsel agreed to share the fees charged by IDAM in equal proportion. A separate reference order would follow.

Sd/-  
**MEMBER/PVRR**

Sd/-  
**CHAIRMAN**

Sd/-  
**MEMBER/TRS**