

Record of Proceedings Dated. 18-03-2024

OP No.9 of 2024

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

Petition filed under Section 86 of the Electricity Act,2003 read with Regulations 55 and 62 of the APERC (Conduct of Business) Regulations, 1999 seeking execution/implementation of Order dated 20-12-2023 passed in OP No.3 of 2023 and initiation of proceedings under Section 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 read with Regulations 55 and 62 of the APERC (Conduct of Business) Regulations, 1999 seeking execution/implementation of Order dated 20-12-2023 passed in OP No.13 of 2023 and initiation of proceedings under Section 142 and 146 of the Electricity Act, 2003.

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

These two petitions are filed feeling aggrieved by the inaction of the respondents in implementing the Common Order, dated 20-12-2023 in OP Nos.3 and 13 of 2023 and batch.

Sri P.Shiva Rao submitted that the respondents have filed Appeals yesterday before the Honourable APTEL challenging the aforesaid Common Order of this Commission and requested time for awaiting interim orders from the APTEL.

It is most unfortunate that though nearly three months' time has elapsed, the respondents have not acted till the present petitions have

been filed seeking to take action for non-implementation of the order of this Commission. While availment of legal remedies is a matter of right for any party, indifference on their part cannot be brooked. It is stated by Sri P.Shiva Rao that respondent No.1 has to issue the NOC and the decision to provide Open Access has to be taken by the Member-Convenor of APPCC-respondent No.3 on behalf of respondent No.1.

As there is continued violation of the Order of this Commission for a period of nearly three months, we are of the opinion that the Chairman & Managing Director of respondent No.1 and the Member-Convenor of respondent No.3 shall personally be present before this Commission on the next date of hearing and explain their conduct.

Call on 10-4-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No.11 of 2024

M/s.Tata Power Renewable Energy Limited & Anr Vs. APSPDCL

Petition under Section 86(1)(f) read with Section 86(1)(e) of the Electricity Act, 2003 read with Article 10 of the Power Purchase Agreement dated 31-10-2016 and Article 11 of the Power Purchase Agreements dated 04-12-2014, inter alia, seeking direction against the Respondent to release payment of interest/Late Payment Surcharge applicable on the invoices raised upto June 2022 as per the respective Power Purchase Agreements.

Sri Shri Venkatesh, learned Counsel for the Petitioners; and

Sri P.Shiva Rao, learned Standing Counsel for the respondent, are present at the hearing.

Heard. OP disposed of (vide: separate Order)

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No.60 of 2023
Andhra Pradesh Power Generation Corporation Ltd.,
Vs.
APSPDCL , APEPDCL , APCPDCL

Petition filed by the Andhra Pradesh Power Generation Corporation Limited for approval of payment of the fuel cost adjustment of the variable cost beyond 15% for all the thermal power stations of APGENCO during the periods of FY 2018-2019-23 and to reset the base variable cost subject to price variation for FY:2023-24

Sri K.Gopal Chowdary, learned Counsel for the petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Heard. Orders reserved.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS