

Record of Proceedings Dated 05-07-2023

OP No. 35 of 2023

APDISCOMs Vs. M/s. National Thermal Power Corporation Limited

Petition seeking Grant of consent for the PPA Dated: 23-09-2010 with Kudgi SuperThermal Power Project Stage-I Plant, Installed Capacity 3x800 MW(2400)-APDISCOMs share 9.425% in accordance with section 21 of AP Power Sector Reform Act-1998 and section 86 of Electricity Act, 2003

OP No. 36 of 2023

APDISCOMs Vs.M/s Tuticorn Thermal Power Station

Petition seeking Grant of consent for the PPA Dated:30-11-2010 with Tuticorin Thermal Power Station, Installed Capacity 2x500 MW-APDISCOMs share 12.145% in accordance with section 21 of AP Power Sector Reform Act-1998 and section 86 of Electricity Act, 2003

OP No. 37 of 2023

APDISCOMs Vs. M/s Neyveli Lignite Corporation

Petition seeking Grant of consent for the PPA Dated:30-11-2010 with Neyveli New Thermal Power Station. Installed Capacity 2x500 MW-APDISCOMs share 5.27% in accordance with section 21 of AP Power Sector Reform Act-1998 and section 86 of Electricity Act, 2003

OP No. 38 of 2023

APDISCOMs Vs.M/s Nuclear Power Corporation of India Ltd.,

Petition seeking Grant of consent for the PPA Dated:24-12-2011 with MAPS Atomic Power Station 1 & 2. Installed Capacity 440 MW - APDISCOMs share 4.122%, Kaiga Atomic Power Station - 1 & 2, Installed Capacity 440 MW- APDISCOMs share 12.565% and MAPS Atomic Power Station 3 & 4, Installed Capacity 440 MW - APDISCOMs share 13.404% in accordance with section 21 of AP Power Sector Reform Act -1998 and section 86 of Electricity Act, 2003

OP No. 39 of 2023

APDISCOMs Vs. M/s. National Thermal Power Corporation Limited

Petition seeking Grant of consent for the PPA Dated:01-02-2001 with Ramagundam Super Thermal Power Station Stage-III, Installed Capacity 500 MW APDISCOMs share 14,514% in accordance with section 21 of AP Power Sector Reform Act-1998 and section 86 of Electricity Act, 2003

OP No. 40 of 2023

APDISCOMs Vs. M/s. National Thermal Power Corporation Limited

Petition seeking Grant of consent for the PPA Dated:22-09-1993 with Ramagundam Super Thermal Power Station Stage-I & II. Installed Capacity 3x200 MW and 3x500 MW(2100 MW)-APDISCOMs share 13.766% in accordance with section 21 of AP Power Sector Reform Act -1998 and section 86 of Electricity Act, 2003

OP No. 41 of 2023**APDISCOMs Vs. M/s. National Thermal Power Corporation Limited**

Petition seeking Grant of consent for the PPA Dated:06-04-1998 with Talcher Super Thermal Power Station Stage-II. Installed Capacity 2000 MW-APDISCOMs share 9.055% in accordance with section 21 of AP Power Sector Reform Act-1998 and section 86 of Electricity Act, 2003

OP No. 42 of 2023**APDISCOMs Vs. M/s. National Thermal Power Corporation Limited**

Petition seeking Grant of consent for the PPA Dated:04-02-1997 With Simhadri Thermal Power Project Stage-I Plant, Installed Capacity 1000 MW-APDISCOMs share 46.110%. in accordance with section 21 of AP Power Sector Reform Act-1998 and section 86 of Electricity Act, 2003

OP No. 43 of 2023**APDISCOMs Vs. M/s. National Thermal Power Corporation Limited**

Petition seeking Grant of consent for the PPA Dated:20-02-2008 with Vallur Thermal Power Station. Installed Capacity 3x500 MW - APDISCOMs share 5.753% in accordance with section 21 of AP Power Sector Reform Act-1998 and section 86 of Electricity Act, 2003

OP No. 44 of 2023**APDISCOMs Vs. M/s. National Thermal Power Corporation Limited**

Petition seeking Grant of consent for the PPA Dated:03-02-2007 with Simhadri Super Thermal Power Station Stage-II, Installed Capacity 1000 MW-APDISCOMs share 21.678% in accordance with section 21 of AP Power Sector Reform Act-1998 and section 86 of Electricity Act, 2003

Sri P.Shiva Rao, learned Standing Counsel for the DISCOMs, Sri J.Subbaiah, General manager, NLC TamilNadu Power Limited (NTPL); Sri M.Ravi Kumar, Asst. Chief Manager, Neyveli Lignite Corporation (NLC); Sri M.V.Kini, learned counsel representing Nuclear Power Corporation of India Limited (NPCIL) are present at the hearing.

Since the issue relates to approval of the PPAs, the matters require Public Hearing. Office shall place the Notices on the website of the Commission calling for objections/responses from the stakeholders within three weeks.

Call on 26-7-2023.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 51 of 2023**M/s. Sree Venkata Sreedevi Power LLP Vs. APSPDCL & APPCC**

(Petition filed under Section 142 of the Electricity Act, 2003 r/w Regulation 55 of the APERC (Conduct of Business) Regulation, 1999 for contravention and Non-implementation of the final order passed by this Hon'ble Commission dated.23.03.2022 in O.P.No.92 of 2021)

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

Sri P.Shiva Rao, learned Standing Counsel for the respondents, requested time for filing counters.

A perusal of the order in respect of which the present petition is filed, shows that as far back as 23-3-2022 this Commission has partly allowed the OP and granted three months time for payment of the LPS. Though more than one year has elapsed, the respondents have not made the payments.

Therefore, this is a fit case where the CMD of respondent No.1 and the Member Convenor of respondent No.2 shall be personally present and explain the reasons therefor.

Accordingly, call on 26-7-2023 for personal appearance of the CMD of respondent No.1 and the Member Convenor of respondent No.2.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 53 of 2023 & IA No.1 of 2023

M/s Hindustan Petroleum Corporation Limited Vs. APEPDCL

Petition Filed under Section 86(1)(f) of the Electricity Act, 2003 R/w APERC (Conduct of Business) Regulations, 1999 seeking a declaration that the Petitioner is not liable to pay Grid Support Charges for the FY 2002-03 to FY 2008-09)

IA No.1 of 2023: This application is filed to direct the Respondent not to take any coercive steps against the Petitioner including disconnection of the services of the Petitioner. "

OP No. 53 of 2023:

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

Sri P.Shiva Rao, learned Standing Counsel for the respondent, requested time for filing counter. Four weeks' time is accordingly granted.

Call on 30-8-2023.

IA No.1 of 2023:

This application is filed for a direction to the respondent not to take any coercive steps, including that of disconnection of power supply of the applicant with HT SC No.VSP-005, pursuant to the respondent's demand of Grid Support Charges made vide: letters dated 22-12-2020, 19-3-2021, 28-4-2021, 10-8-2021 and 21-1-2021.

At the hearing Sri Challa Gunaranjan, learned Counsel for the petitioners, submitted that till April, 2016 the GTG Plants of the petitioner were running independently without any Grid Support; and that it is only thereafter that Grid Support is being taken. He has, accordingly, submitted that in pursuance of the recent Tariff Orders of this Commission, the petitioner has been duly paying the Grid Support Charges; and that in respect of the

past-period, during which the GTGs of the petitioner were running independently without Grid Support, the respondent has been demanding the Grid Support Charges, which the petitioner is not liable to pay.

In the light of the fact that the amount demanded is in respect of the arrears of the distant past and the petitioner has been paying the current Grid Support Charges, we find the elements of balance of convenience and irreparable injury in favour of the petitioner.

Accordingly, there shall be stay of disconnection in respect of the petitioner's Service Connection - HT SC No.VSP-005 for non-payment of the money under the impugned demand notices for the past period, subject to the condition that the petitioner shall continue to pay the current and future Grid Support Charges.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

Revision petition No.1 of 2023

M/s National Highways Authority of India Vs. Sri. K. Rama Rao & 2 Others

(Petition filed under section 13(2) of AP Works of Licensees Rules 2007 against the orders passed by District Collector & District Magistrate NTR District in Rc.coord-3/977/2022 dt. 23-11-2022)

Revision petition No. 2 of 2023

M/s National Highways Authority of India Vs. Sri. M. Sethu Narayana Rao,& 11 Others

(Petition under section 13(2) of AP Works of Licensees Rules 2007 against the orders passed by District Collector & District Magistrate NTR District rc.coord-3/977/2022 dt. 23-11-2022)

Revision petition No. 3 of 2023

M/s National Highways Authority of India Vs. Sri.V.Chalapathi Rao, & 16 Others

(Petition under section 13(2) of AP Works of Licensees Rules 2007 against the orders passed by District Collector & District Magistrate NTR District rc.coord-3/977/2022 dt. 23-11-2022)

Revision petition No. 4 of 2023

M/s National Highways Authority of India Vs. Smt. B.Prabhavathi & 4 Others

(Petition under section 13(2) of AP Works of Licensees Rules 2007 against the orders passed by District Collector & District Magistrate NTR District
rc.coord-3/977/2022 dt. 23-11-2022)

Revision petition No. 5 of 2023

M/s National Highways Authority of India Vs. Sri. B.Kishore Reddy & 11 Others

Petition under section 13(2) of AP Works of Licensees Rules 2007 against the orders passed by Joint District Collector & Additional District Magistrate NTR District
rc.coord-1981/Coordin-7/kco dt. 10-10-2022

Revision petition No. 6 of 2023

M/s National Highways Authority of India Vs. Sri. A.Ammi Reddy & 37 Others

(Petition under section 13(2) of AP Works of Licensees Rules 2007 against the orders passed by District Collector & District Magistrate NTR District
rc.coord-3/977/2022 dt. 23-11-2022)

Ms. Sri Bala Kamarsu, Counsel representing Sri V.Srinivasa Raju, learned Counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for APTRANSCO; are present at the hearing.

The Office report shows that Notices on some of the respondents are not served in all the OPs. Therefore, the petitioner is permitted to take out substitute service by way of paper publication.

Accordingly, the petitioner is directed to carry out publication in two Newspapers, viz., Eenadu and New Indian Express, having circulation in the area in which the private respondents are living permanently and file the same on the next date of hearing.

Call on 30-8-2023 for filing proof of Publication.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 64 of 2022**M/s.APEPDCL & M/s.APSPDCL Vs. M/s. Spectrum Power Generation Ltd.,**

(Petition filed U/Sec 86(1)(f) of the Electricity Act 2003 read with Clause-55 of APERC (Conduct of Business) Regulations, 1999 to determine the Tariff for procurement of power from M/s Spectrum Power Generation Limited, 208 MW Combined Cycle Gas based Power Project during the period FY 2016-17).

Sri P. Shiva Rao, learned standing counsel for the Petitioners; and Sri S.Ravi, learned Senior Counsel assisted by Sri M.Naga Deepak, learned counsel for the Respondent, are present at the hearing.

At the request of Sri S.Ravi, learned Senior Counsel for the respondent, call on 30-8-2023.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 43 of 2019**M/s ITC Limited Vs. APSPDCL, APEPDCL, APPCC & APSLDC**

(Petition filed u/s 86(1)(b) & 86 (1) (f) of the Electricity Act, 2003, r/w Clause 55 of APERC (Conduct of Business) Regulations, 1999 for the directions to respondents in relation to making payment for the energy injected into grid owing to unlawful denial of Open Access in compliance with order dt 13-06-2016 passed by CERC).

Sri S.Ravi, learned Senior Counsel assisted by Sri M. Abhinay Reddy, 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