

**Record of Proceedings Dated 08-11-2023**

**OP No. 93 of 2021**  
**M/s Axis Wind farms (MPR Dam) Vs. APSPDCL**  
**OP No. 94 of 2021**  
**M/s Saipuram Wind Energies Pvt Ltd. Vs. APSPDCL**  
**OP No. 95 of 2021**  
**M/s JED Solar Parks Pvt. Ltd., Vs. APSPDCL**  
**OP No. 96 of 2021**  
**M/s Skeiron Renewable Energy Amidyala Ltd., Vs. APSPDCL**  
**OP No. 97 of 2021**  
**M/s Animala Wind Power Pvt Ltd., Vs. APSPDCL**  
**OP No. 98 of 2021**  
**M/s Poly Solar Parks Pvt. Ltd. Vs. APSPDCL**  
**OP No. 99 of 2021**  
**M/s Vayuputhra Energy Pvt Ltd., Vs. APSPDCL**  
**OP No. 100 of 2021**  
**M/s Sandla Wind Project Pvt. Ltd., Vs. APSPDCL**  
**OP No. 101 of 2021**  
**M/s Guttaseema Wind Energy Company Pvt Ltd., Vs. APSPDCL**

(Petitions under Section 86 (1) (e) & (f) of the Electricity Act, 2003 r/w Clause- 55 of the APERC (Conduct of Business) Regulations, 1999, (as amended) and r/w Article-10 of the PPAs seeking a direction to the respondent to pay the outstanding dues, late payment charges, interest etc)

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Sri V.Akshaya Babu, learned counsel for the petitioners; and Sri P.Shiva Rao, learned Standing Counsel for the respondent, are present at the hearing.

Pleadings are complete.

Both the learned counsel requested that these matters may be posted for hearing. Accordingly, call on 13-12-2023 for hearing.

**Sd/-**  
**MEMBER/PVRR**

**Sd/-**  
**CHAIRMAN**

**Sd/-**  
**MEMBER/TRS**

**IA No.3 of 2023 & OP No. 17 of 2023**  
**M/s ACME Solar Holdings Pvt., Ltd. & 5 others Vs. APSPDCL & 3 others**

**(I.A.No.3 of 2023:** This Interlocutory Application is filed by the Petitioners seeking issuance of directions to respondent No.1 to forthwith pay the amounts unilaterally withheld and deducted towards aggregate DC capacity installed as on the date of commissioning of the Projects along with Late Payment Surcharge to the petitioners.

**&**

**(OP No.17 of 2023:** This Petition filed is filed under Section of the 86(1)(f) of the Electricity Act, 2003, inter alia, challenging the unilateral deductions made by respondent No.1 in the payment of the monthly tariff invoices for the period from COD of the projects to till date; and also also to direct the respondent No.1 to make payment of the withheld amounts, being Rs.333.10 crores along with LPS amounting to Rs.137.14 crores, totalling to Rs.470.24 crores).

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**I.A.No.3 of 2023:**

Sri Avinash Desai, learned Senior Counsel, assisted by Sri P.S.S.Bhargava, learned counsel for the Petitioners; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Heard. IA is disposed of (vide: separate order)

**OP No.17 of 2023:**

Post the OP in its usual turn.

**Sd/-  
MEMBER/PVRR**

**Sd/-  
CHAIRMAN**

**Sd/-  
MEMBER/TRS**

**OP No. 53 of 2022**

**M/s. Bharat Heavy Electrical Limited Vs. APTRANSCO & others**

(Petition filed under Section 86(1)(f) of the Electricity Act, 2003 to direct the Respondents to pay the sum of Rs.1,95,75,929/- (Rupees One Crore, Ninety Five Lakhs, Seventy Five Thousand, Nine hundred and Twenty Nine only) together with interest at 10% per annum towards the cost of the energy supplied to the respondents)

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Smt G.Malathi, learned counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Heard both sides. Both the learned counsel requested two weeks' time for submitting their respective decisions (legal precedents), if any, in support of their submissions on limitation.

Orders are reserved.

**Sd/-  
MEMBER/PVRR**

**Sd/-  
CHAIRMAN**

**Sd/-  
MEMBER/TRS**

**OP No. 9 of 2023**  
**M/s Alufluoride Limited Vs. APSLDC, APTRANSCO, APEPDCL**

(Petition filed under Section 86(1)(f) of the Electricity Act, 2003 seeking consideration of the unsettled Banking Units of 6.18 lakhs during the period from 25.03.2019 to 31.03.2020 and 23.21 lakhs during the period from 01.04.2020 to 10.01.2021 (total 29.39 lakhs units) towards increasing the capacity from 1.6 MW to 3.00 MW Generator in their project at Polepalli Village, Butchayyapeta Mandal, Visakhapatnam District, Andhra Pradesh)

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Sri L.Aravind Reddy, learned counsel for the Petitioner; and Sri P. Shiva Rao, learned Standing Counsel for the Respondents; are present at the hearing.

Heard. OP is allowed in part (vide separate order)

**Sd/-**  
**MEMBER/PVRR**

**Sd/-**  
**CHAIRMAN**

**Sd/-**  
**MEMBER/TRS**

**OP No. 54 of 2023 & IA No.1 of 2023**  
**M/s. Sree Lalitha Parameshwari Mills Pvt Ltd. Vs. APTRANSCO, APCPDCL and APSPDCL**

**OP No.54 of 2023:**

(Petition filed under Section 86(1)(e) and 86(1)(f) of the Electricity Act, 2003 to declare the action of the respondents in unilaterally levying and demanding amounts towards transmission and wheeling charges for wheeling of power generated from the petitioner's Solar Power Plant as illegal, arbitrary and contrary to the A.P. Solar Power Policy, 2015 enunciated in GO.Ms.No.8, Dated 12.02.2015, and, consequently, to direct the respondents not to levy or demand any charges towards transmission and wheeling of solar power generated by the petitioner for its captive use; and to direct the respondents to refund the amounts collected towards transmission charges from 30.06.2021 onwards to the petitioner; and also to direct the respondents to refund the amount collected towards wheeling charges from 30.04.2021 onwards to the petitioner)

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**IA No. 1 of 2023:**

(Interlocutory Application is filed seeking to direct the Respondents not to levy and demand transmission and wheeling charges for wheeling power generated from the petitioner's Solar Power Plant at Bongaravulapadu village, Varikuntapdu Mandal, SPSR Nellore District, Andhra Pradesh, pending pending adjudication of the main petition)

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Sri N.V.Sumanth, learned counsel for the Petitioner, and Sri P. Shiva Rao learned Standing Counsel for the respondents, are present at the hearing.

Heard Sri N.V.Sumanth in-part. He requested an adjournment for making further submissions.

Call on 13-12-2023.

**Sd/-  
MEMBER/PVRR**

**Sd/-  
CHAIRMAN**

**Sd/-  
MEMBER/TRS**