

Record of Proceedings Dated 27-12-2023

OP No. 80 of 2023

M/s. Arjas Steel Private Limited Vs. APSLDC

(Petition filed under Section 86(1)(e) of the Electricity Act, 2003 r/w Regulation 6(4) of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations 1999, as amended from time to time, challenging Notice in DD/P&PP/F.No.RPPO/D.No.719/23, dated 30.05.2023 issued by the Secretary (I/c) of this Commission)

I.A No.1 of 2023: This application is filed with a prayer to pass an ex-parte ad-interim direction to the effect that no coercive action be taken against the Petitioner on the issue of RPPO, including for future years in so far as they relate to the issue at hand)

Sri Kunal Kaul, counsel representing Sri Sanjay Suraneni, learned counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

OP dismissed as withdrawn (vide separate order).

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 81 of 2023

Eastern Power Distribution Company of A.P.Ltd., (APEPDCL)

(Petition filed seeking approval of the Commission for Prepaid Smart Metering Procedure to be followed by the APEPDCL-Discom - Reg.

Sri P.Shiva Rao, learned Standing Counsel for the Petitioner, is present at the hearing.

OP rejected (vide separate order).

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 82 of 2023

M/s. Sarda Metals and Alloys Ltd. Vs. APTRANSCO

(Petition filed under Section 86(1)(b) and (e) of the Electricity Act, 2003 r/w Regulations 9 and 10.1 of the APERC Renewable Power Purchase Obligation (Compliance

by purchase of Renewable Energy/Renewable Energy Certificates) Regulations 2012 and 2017 and Clause-57 of the APERC (Conduct of Business) Regulations 1999, seeking to carry forward the petitioner's of Renewable Power Purchase Obligation (RPPO) for FY 2017-18 to FY 2022-23 to corresponding FY 2024-25 to FY 2029-30 respectively.

Sri Saunak Kumar Rajguru, counsel representing Sri T.G.Rajesh Kumar, learned Counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondent, are present at the hearing.

We have heard the learned counsel for both sides at length. Though, *prima facie*, we are not satisfied with the merits of the OP., considering that several aspects, both factual and legal, have been raised in the petition, we are inclined to order Notice.

Sri P.Shiva Rao, requested time for filing counter. Four weeks' time is, accordingly, granted.

Sri Saunak Kumar Rajguru submitted that as there is a threat of penal action, without prejudice, the petitioner may be permitted to pay the penalties for non-compliance of RPPO during the relevant periods at a cap of 5%.

In the interest of justice, we accept this plea of the learned counsel for the petitioner. Accordingly, the petitioner is permitted to pay the penalties with a cap of 5%, pending the OP. It is needless to observe that any such payments shall be subject to the result of the OP.

Call on 14-02-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 58 of 2023

M/s Jindal Urban Waste Management (Guntur) Ltd., Vs. APCPDCL

(Petition filed under Sections 62(1), 64 and 86(1) of the Electricity Act, 2003, seeking determination of a tariff of Rs.7.16/- per unit or higher for the sale of electricity generated

from the additional 5 MW Waste to Energy (WtE) Power Plant of the petitioner and supplied to the respondent in the duration of the PPA dated 06.02.2016)

Smt Rashmi G. Kamath, counsel representing Sri S.Vivek Chandrasekhar, learned counsel for the Petitioner, and Sri P.Shiva Rao, learned Standing Counsel for the respondent, are present at the hearing.

Proof of publication is filed. No objections have been received so far.

Call on 14-02-2024 for hearing.

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 Deepak Chowdary, counsel representing 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.

Proof of publication is filed.

Call on 14-02-2024 for hearing.

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

(**OP No. 53 of 2023:** 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: Petition filed under Section 94(2), r/w. Section 86(1)(f) of the Electricity Act, 2003 to direct the respondents not to take any coercive steps, including that of disconnection of power supply to the petitioner's HT SC No.VSP-005, pursuant to the demand notices issued by the respondent)

Sri Deepak Chowdary, counsel representing Sri Challa Gunaranjan, learned counsel for the Petitioner; and Sri P. Shiva Rao, learned Standing Counsel for the Respondent; are present at the hearing.

At the request of the learned counsel for the petitioner, call on 21-02-2024.

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)

Sri P. Shiva Rao, learned Standing Counsel for the Respondent; is present at the hearing. Counsel for the petitioner is not present.

Call on 21-2-2024 finally.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 1 of 2022

M/s. Greenko Uravakonda Wind Power Pvt. Ltd., Vs. APSPDCL

(Petition filed under Section 86(1)(e) & (f) of the Electricity Act, 2003 R/w Clause-55 of the APERC (Conduct of Business) Regulations, 1999 seeking directions to the Respondent, among other things, for payment of the outstanding dues and Late Payment Interest in terms of Articles 5.2 & 5.3 of the PPA).

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OP No. 2 of 2022

M/s Greenko Anantapur Wind Power Pvt. Ltd., Vs. APSPDCL

(Petition filed under Section 86(1)(e) & (f) of the Electricity Act, 2003 R/w. Clause 55 of the APERC (Conduct of Business) Regulations, 1999 seeking directions to the Respondent, among other things, for payment of the outstanding dues and Late Payment Interest in terms of Articles 5.1, 5.2 & 5.3 of the PPA.)

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.

Sri P.Shiva Rao submitted that a batch of identical cases is posted to 10-01-2024; and that these cases may also be posted along with the said batch.

Ordered accordingly. Call on 10-1-2024.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS

OP No. 70 of 2022

M/s Bharat Heavy Electrical Ltd., Vs. APTRANSCO & Ors

(Petition filed under Section 86(1)(f) of the Electricity Act 2003 for recovery of a sum of Rs.1,90,31,273/- (Rupees One Crore, Ninety Lakhs, Thirty One Thousand, Two Hundred and Seventy Three only) together with interest at 10% per annum towards the amount due under Invoice dated 07/12/2019 issued in respect of the 3 MW power for 6012440 Units injected between April, 2016 to November, 2019 to the respondents at its Inter-connection point based on the collective Joint Meter reading.)

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. Orders reserved.

Sd/-
MEMBER/PVRR

Sd/-
CHAIRMAN

Sd/-
MEMBER/TRS