

Record of Proceedings Dated. 28-02-2024

OP No. 7 of 2024

M/s.Greenko Solar Power (Dharmavaram) Ltd

Vs.

Southern Power Distribution Company of A.P. Ltd., (APSPDCL)

(Petition filed under Section 86(1)(f) read with Section 86(1)(e) and (k) of the Electricity Act, 2003 seeking quashing of the Notice dated 04-07-2023 issued by the Respondent-APSPDCL terminating the Power Purchase Agreement dt.05-12-2014 executed with the Petitioner, under the pretext of installation of allegedly excess DC capacity of 9.28 MW postcommissioning of the Solar Power Project; and granting permission to connect the additional DC modules of 9.28 MW in terms of the MNRE Clarification dt.05-11-2019)

IA No.1 of 2024

Application filed under Clause-8 read with Clause-55 of the Andhra Pradesh (Conduct of Business) Regulations, 1999 and Section 94(2) of the Electricity Act, 2003 seeking urgent listing and hearing of the petition and the accompanying IA seeking interim relief.

IA No.2 of 2024

Application filed under Clause-8 read with Clause-55 of the Andhra Pradesh (Conduct of Business) Regulations, 1999 and Section 94(2) of the Electricity Act, 2003 praying stay of operation/implementation of the impugned Notice dated 04-7-2023 issued by the respondent for terminating the PPA dated 5-12-2014, pending disposal of the main Petition.

IA No.1 of 2024:

Sri K.Gopal Chowdary, Counsel assisted by Sri Hemant Singh, learned Counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondent; are present at the hearing.

Heard. Ordered.

OP No.7 of 2024 & IA No.2 of 2024

Heard Sri Gopal Chowdary, learned counsel for the petitioner and Sri P.Shiva Rao. learned Standing Counsel for the respondent.

During the hearing, Sri Gopal Chowdary has submitted that the petitioner is prepared to give an undertaking that until an appropriate permission could be secured by it, it will not only dismantle the additional DC

Panels of 9.28 MW capacity, but also will not reconnect. He sought time to file a written undertaking to that effect by the petitioner.

Time is, accordingly, granted. Such an undertaking shall be filed by the petitioner by serving a copy of the same on the other side within one week.

Call on 06-3-2024.

Sri P.Shiva Rao undertakes that, meanwhile, no steps adverse to the petitioner's interest will be taken.

**Sd/-
MEMBER/PVRR**

**Sd/-
CHAIRMAN**

OP No. 8 of 2024
M/s.SEI Arushi Private Limited
Vs.

Southern Power Distribution Company of A.P. Ltd., (APSPDCL)

(Petition filed under Section 86(1)(f) read with Section 86(1)(e) and (k) of the Electricity Act, 2003 seeking quashing of the Notice dated 04-07-2023 issued by the Respondent-APSPDCL terminating the Power Purchase Agreement dt.05-12-2014 executed with the Petitioner, under the pretext of installation of allegedly excess DC capacity of 5.13 MW postcommissioning of the Solar Power Project; and granting permission to connect the additional DC modules of 5.13 MW in terms of the MNRE Clarification dt.05-11-2019)

IA No.1 of 2024

Application filed under Clause-8 read with Clause-55 of the Andhra Pradesh (Conduct of Business) Regulations, 1999 and Section 94(2) of the Electricity Act, 2003 seeking urgent listing and hearing of the petition and the accompanying IA seeking interim relief.

IA No.2 of 2024

Application filed under Clause-8 read with Clause-55 of the Andhra Pradesh (Conduct of Business) Regulations, 1999 and Section 94(2) of the Electricity Act, 2003 praying stay of operation/implementation of the impugned Notice dated 04-7-2023 issued by the respondent for terminating the PPA dated 05-12-2014, pending disposal of the main Petition.

IA No.1 of 2024:

Sri K.Gopal Chowdary, Counsel assisted by Sri Hemant Singh, learned Counsel for the Petitioner; and Sri P.Shiva Rao, learned Standing Counsel for the respondents; are present at the hearing.

Heard. Ordered.

OP No.8 of 2024 & IA No.2 of 2024

Heard Sri Gopal Chowdary, learned counsel for the petitioner and Sri P.Shiva Rao. learned Standing Counsel for the respondent.

During the hearing, Sri Gopal Chowdary has submitted that the petitioner is prepared to give an undertaking that until an appropriate permission could be secured by it, it will not only dismantle the additional DC Panels of 5.13 MW capacity, but also will not reconnect. He sought time to file a written undertaking to that effect by the petitioner.

Time is, accordingly, granted. Such an undertaking shall be filed by the petitioner by serving a copy of the same on the other side within one week.

Call on 06-3-2024.

Sri P.Shiva Rao undertakes that, meanwhile, no steps adverse to the petitioner's interest will be taken.

**Sd/-
MEMBER/PVRR**

**Sd/-
CHAIRMAN**