

Record of Proceedings dated 01-09-2021

OP No. 15 of 2021
APEPDCL Vs. ---NIL--

Public hearing in the matter of determination of the True up for Retail Supply Business for FY 2019-20 in accordance with the "Andhra Pradesh Electricity Regulatory Commission (Terms And Conditions For Determination Of Tariff For Wheeling And Retail Sale Of Electricity) Regulation No.4 of 2005 and amendments issued from time to time.

OP No. 37 of 2021
APSPDCL Vs. ---NIL---

Public hearing in the matter of determination of the True-up for Retail Supply Business for FY 2019-20 in accordance with the APERC (Terms & Conditions for Determination of Tariff for Wheeling and Retail Sale of Electricity) Regulation No. 4 of 2005 and amendments issued from time to time

Sri P. Shiva Rao, learned Standing counsel for the utilities and Sri. M. Venugopala Rao, learned objector, are present at the web hearing.

Sri. M. Venugopala Rao, learned objector submitted that some information sought by him has not been furnished by the DISCOMs. The said information is stated to be required for making effective submissions by Sri. M. Venugopala Rao, learned objector. The petitioners are therefore directed to furnish all the relevant information within one week. Call on 22-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

RP No. 4 of 2021 in OP Nos. 51 to 53 of 2021
APSLDC Vs. APDISCOMs

Application u/s 94 (2) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations seeking Modification of directions issued at Para No. 97 of Retail Supply Tariff Order directing the SLDC to provide link showing the real time generation and demand to the Hon'ble Commission

Sri P. Shiva Rao, learned Standing counsel for the APDISCOMs is present at the web hearing.

Prima facie some of the reasons stated in the petition are mis-conceived and unacceptable. The learned standing counsel for the petitioner sought time for further instructions and appropriately advising the petitioner. Call on 15-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

IA No. ___ of 2021 in OP No. 41 of 2021
M/s. Lanco Kondapalli Power Limited Vs. APSPDCL, APEPDCL, APCPDCL and
APPCC

Payment of differential bills amount for the energy supplied by M/s. Lanco Kondapalli Power Limited to SPDCL of AP and EPDCL of AP Ltd

Sri. Tarun Reddy, Counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

The petitioner has filed an application for placing on record the Order dated 16-04-2021 passed by the National Company Law Tribunal (NCLT), Hyderabad admitting the Corporate Debtor into liquidation and also the amended Memo of parties in the petition.

The office of the Commission is directed to number this IA after collecting the required fee. Along with the IA the petitioner has filed a copy of the order dt. 16-04-2021, appointing Mr. Pankaj Dhanuka, as the liquidator of the petitioner.

In the light of the above, the objections of the respondents on the maintainability of the OP no longer survive. The office of the Commission is directed to take the material filed with the IA on record of the OP. IA is accordingly disposed of.

OP No. 41 of 2021

Sri. Tarun Reddy, Counsel for the petitioner requested time for amending the cause title. Sri P. Shiva Rao, learned Standing Counsel for the respondents requested time for filing counter. Both the requests are accordingly accepted. Call on 06-10-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

RP No. 2 of 2021 in OP No. 46 of 2017
APGENCO Vs. APSPDCL, APEPDCL & AP Solar Power Corporation Ltd (APSPCL)

Petition u/s 94 (1) (f) of the Electricity Act 2003 r/w Regulation 49 (1) of the APERC
(Conduct of Business), Regulation 1999 for review of the Commission's order
dt.22-10-2020 in OP No. 46 of 2017

Counsel for the petitioner representing Sri. O. Manohar Reddy, Advocate and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Counsel for the petitioner requested further time for filing rejoinder on behalf of the petitioner. Call on 27-10-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP. No. 77 of 2021
M/s. ITC Ltd., Vs. APSLDC & APSPDCL

Petition challenging the levy of Deviation Settlement (DSM) Charges, and denial of
intra-state and inter-state Open Access by the SLDC

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

Sri P. Shiva Rao, learned Standing Counsel for the respondents submitted that Respondent No. 2 / APSPDCL is adopting the counter filed by the Respondent No. 1 / APSLDC. Sri K. Gopal Choudary, learned counsel for the petitioner requested time for filing rejoinder. Call on 15-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 42 of 2021
M/s. Compucom Software Ltd. Vs. APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's 0.8 MW wind power plant to the respondent herein for the PPA dt.22-04-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

OP No. 52 of 2021 & IA No. 1 of 2021
M/s. Vikram Traders Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.18-03-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 53 of 2021 & IA No. 1 of 2021
M/s. S. Kumar Vs.APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.23-04-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 54 of 2021 & IA No. 1 of 2021
Siddanga Oil Extractions Pvt Ltd Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.22-04-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 55 of 2021 & IA No. 1 of 2021
M/s. Texmo Precision Casting Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.02-08-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 56 of 2021 & IA No. 1 of 2021
M/s. Arts & Crafts Exports Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.21-04-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 57 of 2021 & IA No. 1 of 2021
M/s. Prakash Beedies Pvt Ltd Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.20-04-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 58 of 2021 & IA No. 1 of 2021
M/s. Texmo Industries Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.20-04-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 61 of 2021 & IA No. 1 of 2021
M/s. Shreem Electric Ltd Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.30-03-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in Op Nos. 6 & 7 of 2009.

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

Sri. Challa Gunaranjan, counsel for the petitioner in OP No. 42 of 2021, Sri. A. Purushotham Reddy, Counsel for the petitioners in other OPs and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Counsel for the petitioners requested further time for filing rejoinders in this batch.

Call on 06-10-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No. 18 of 2020;
IA No.42 of 2020 & IA No. 1 of 2021

M/s. Khandaleru Power Company Ltd Vs. 1) CMD/APSPDCL, 2) CE/IPC, PP&S/ APSPDCL, 3) GM/OPC/PP&S/APPCC, 4) SE/Opt Circle/ APSPDCL,Nellore

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation, 1999, seeking adoption of tariff discovered through competitive bidding for procurement of 6 MW capacity power from the petitioner's Mini Hydel Project at Khandaleru Reservoir, Khandaleru, Nellore District in terms of the PPA dated 16-02-2019

IA No. 42 of 2020 - Application filed by the petitioner u/s 142 of the EA, 2003 r/w Regulations 55 of the APERC (Conduct of Business) Regulation, 1999 for violating and dis-obeying the orders passed by the Commission dt.17-03-2020 and 26-08-2020 in IA No. 4 of 2020 in OP No. 18 of 2020

IA No. 1 of 2021 -Application filed under Regulation 16 r/w Regulation 55 of the APERC (Conduct of Business) Regulation 1999

O.P.No. 40 of 2020
Victory Power Systems Pvt Ltd Vs. APSPDCL

Petition u/s 86 (1) (f) r/w Sections 86 (1) (b) and 86 (1) (e) of the Electricity Act, 2003 for adjudication of the dispute relating to the purchase of mini hydel power by APSPDCL from Victory Power Systems Pvt Ltd in terms of the PPA dt.16-02-2019 and for approval thereof.

Sri. Challa Gunaranjan, Counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the Respondents are present at the web hearing.

Sri. Challa Gunaranjan, learned counsel for the petitioner submitted that rejoinder is

filed in OP No. 40 of 2020 and he is filing rejoinder today in OP No. 18 of 2020. Call on 27-10-2021.

IA No. 42 of 2020 In OP No. 18 of 2020 : The learned Counsel for the petitioner submitted that the respondents have stopped payments for the power received by them from July 2020. The respondents have filed a counter. Post I.A. No. 42 of 2020 for hearing on 06-10-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

RP No. 3 of 2020 in Lr.No.APERC/JD(PPP)/DD(P&PP)/F.No.E-938/D.No.451/ 18,
Dt:30.05.2018

APSPDCL & APEPDCL Vs. Khandaleru Power Company Ltd
Victory Power Systems Pvt Ltd & Raji Power Pvt Ltd

Review Petition under Section 94(1)(f) of Electricity Act 2003, Regulation 49 & 59 of APERC (Conduct of Business) Regulations, 1999 seeking review of the directions of this Hon'ble Commission vide

Lr.No.APERC/JD(PPP)/DD(P&PP)/F.No.E-938/D.No.451/ 18, Dt:30.05.2018
according in principle approval for procurement of power from Mini Hydel Projects

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and K. Gopal Choudary, Counsel for the Respondents are present at the web hearing.

Post along with OP No. 18 of 2020 on 27-10-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.14 of 2020

M/s. Vish Wind Infrastructure LLP Vs APTRANSCO & 2 others
Petition filed under Section 86 (1)(b), 86(1)(e) and 86(1)(f) of the Electricity Act, 2003, for specific performance of the Power Purchase Agreements dated 29-05-2010 and for a direction against the Respondents for payment of the outstanding amounts

O.P.No.15 of 2020

M/s. Vish Wind Infrastructure LLP Vs APTRANSCO & 2 others
Petition filed under Section 86 (1)(b), 86(1)(e) and 86(1)(f) of the Electricity Act, 2003, for specific performance of the Power Purchase Agreements dated 29-05-2010 and for a direction against the Respondents for payment of the outstanding amounts

Sri Vishal Gupta, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

On further request of Sri Vishal Gupta, learned counsel for the petitioners, call on 03-11-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No. 30 of 2020
M/s. Tadas Wind Energy Pvt. Ltd Vs. APSPDCL

Petition seeking immediate strict compliance by the DISCOM with the provisions of the various Power Purchase Agreements entered into between the parties and release of Amount Due

Ms. Nameeta Singh, Counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the Respondent are present at the web hearing.

After arguing the case for Late Payment Surcharge, Sri P. Siva Rao requested adjournment for making further submissions. Call on 06-10-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.29 of 2020
M/s. Vaayu (INDIA) Power Corporation Limited

Petition for approval of the generic tariff at Rs.3.43/- per unit for sale of wind power by the Petitioner to DISCOM for all the Seven PPAs, after expiry of the 10 year period in terms of the Order dated 01.05.2009 passed by this Hon'ble Commission in O.P Nos.6 and 7 of 2009

O.P.No. 49 of 2020
M/s. Vish Wind Infrastructure LLP

Petition for approval of the generic tariff at Rs.3.43/- per unit for sale of wind power by the Petitioner to DISCOM for all the Seven PPAs, after expiry of the 10 year period in terms of the Order dated 01.05.2009 passed by this Hon'ble Commission in O.P Nos.6 and 7 of 2009

Sri Vishal Gupta, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the APDISCOMs are present at the web hearing.

After hearing Sri Vishal Gupta, learned counsel for the petitioners, we direct that the application for tariff fixation shall be published by the petitioners in the abridged form as per Section 64 (2) of the Electricity Act, 2003 in two daily newspapers viz., Sakshi Telugu daily and Deccan Chronicle English daily having circulation in the State of Andhra Pradesh within 3 weeks..

The office of the Commission shall also place the entire material in this matter on the Commission's website for the public information. Call on 03-11-2021 for filing proof of publication and further hearing.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR