

Record of Proceedings dated 04-08-2021

OP No. 65 of 2021
APSPDCL & APEPDCL Vs. ---NIL---

Review Petition u/s 94 of Electricity Act, 2003 r/w Clause 49 of APERC (Conduct of Business) Regulation on the common order dt.26-11-2020 issued by this Commission on True-up filings for FY 2014-15, FY 2016-17, FY 2017-18 & FY 2018-19

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

Review Petition is dismissed as withdrawn (vide separate order)

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 69 of 2021
APCPDCL Vs. --- NIL---

Petition seeking approval of the Commission for modification of Clause 8 (4) in the Regulation No. 4 of 2013

OP No. 71 of 2021
APEPDCL Vs. ---NIL---

Petition seeking approval of the Commission for modification of Clause 8 (4) in the Regulation No. 4 of 2013

OP No. 79 of 2021
APSPDCL Vs. ---NIL---

Petition seeking approval of the Commission for collection of Distribution Transformer Cost including erection wherever dedicated DTR is provided from all the consumers except agriculture consumers by modification of Clause 8 (4) i the Regulation No. 4 of 2013

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

Sri M. Venugopal Rao has filed his objections. The learned Standing Counsel for the petitioner requested for time for filing response to the objections. Call on 15-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 72 of 2021
APEPDCL Vs. ---NIL---

Petition seeking approval of the Commission to consider issuing suitable amendment to Schedule of development charges in the Regulation No. 4 of 2013

OP No. 73 of 2021
APCPDCL Vs. ---NIL---

Petition seeking approval of the Commission to consider issuing suitable amendments to Schedule of development charges

OP No. 68 of 2021
APSPDCL Vs. ---NIL---

Petition seeking approval of the Commission to consider issuing suitable amendments to Schedule of development charges

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

Sri M. Venugopal Rao filed his objections. The learned Standing Counsel for the petitioner requested for time for filing response to the objections. Call on 15-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No. 46 of 2020 & IA No. 1 of 2021
APTRANSCO Vs. ---NIL---

Filing of the True-up for the 3rd control period (FY2014-19) for its Transmission Business U/s 26 (5) of the AP Electricity Reform Act, 1998 and under Part VII (Section 61 to 64) of the Electricity Act, 2003 r/w the relevant APERC Guidelines and Regulations till date, by the APTRANSCO as the Transmission Licensee and as SLDC Operator

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

Sri P. Shiva Rao requested for an adjournment for filing the supporting documents in respect of the heads (A) to (H) referred under the head "Major reasons for deviations in the ARR". He shall upload the said documents within three weeks from today. On such uploading, the office shall upload the same in its website to facilitate the objectors to submit their further response, if any. Call on 22-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

IA No. 46 of 2020 & IA No. 47 of 2020 in O.P.No. 48 of 2020
Guttaseema Wind Energy Company Pvt Ltd Vs. APSPDCL

Petition filed u/s 61 (h), 86 (1) (e) & 86 (1) (f) of the Electricity Act, 2003 r/w Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 seeking directions to the Respondent

IA No. 46 of 2020 - Application filed u/s 94 (2) of the Electricity Act, 2003 seeking to suspend the notice bearing Lr. No. APSPDCL /TPT / CGM/IPC/GM/IPC/EE/F.456/D.No.86420 Dt.01-07-2020

IA No. 47 of 2020 - Application filed u/s 94 (2) of the Electricity Act, 2003 seeking directions to the Respondent to provide the synchronization approval to the petitioner for commissioning 20 MW wind power project (which has been ready for commissioning since June 2019)

Sri. M.V. Pratap Kumar, counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

Sri M.V. Pratap Kumar submitted that as the O.P. needs to be heard and disposed of finally, he proposes to file synopsis and the relevant case law. He requested for an adjournment for this purpose. Call on 15-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 14 of 2021

M/s. Sree Jayajyothi Cements Private Limited Vs. APSPDCL

Petition filed under Section 86(1) (e) of the Electricity Act, 2003 R/w Clause 9 of the APERC Renewable Power Purchase Obligation (Compliance by Purchase of Renewable Energy/Renewable Energy Certificates) Regulations, 2017

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

O.P. is allowed as prayed for (vide separate order)

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.36 of 2020 & IA No.35 of 2020

M/s. Dalmia Cement (Bharat) Ltd Vs. APTRANSCO, APSPDCL & APEPDCL

Petition under Section 86 (1) (e) of the Electricity Act, 2003 r/w Clauses 9

& 10 of the APERC (Compliance by Purchase of Renewable Energy / Renewable Energy Certificates) Regulations, 2017 and Clause 57 of the APERC (Conduct of Business) Regulations, 1999 seeking exercise of power to issue directions to remove difficulty in implementation of the RPPO Regulations.

IA No. 35 of 2020 - Application for interim relief u/s 86 (1) (e) of the Electricity Act, 2003 r/w Clause 55 of the APERC (Conduct of Business) Regulations, 1999 seeking protection from any coercive steps taken by the respondent against the petitioner during the pendency of present proceedings

Sri. Manu Seshadri, counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

Heard. Orders reserved.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 62 of 2021 & IA No. 1 of 2021
M/s. Texonic Instruments Vs. APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 16-12-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble 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. Salman Chowdhary, counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

IA is disposed of. (vide separate order).

O.P.No.62 of 2021:

Both the learned Counsel represented that the issues raised in this O.P. are identical to those raised in O.P.No.27 of 2021 and Batch. Call the O.P. on 25-08-2021 along with the batch matters.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 38 of 2021 & IA No. 1 of 2021
M/s Rayala Wind Power Company Private Limited & Ors. Vs. APSPDCL
& APEPDCL

Petition seeking indulgence of this Hon'ble Commission and invoking its Regulatory Jurisdiction under Section 86(1)(e) read with Section 86 (1)(f) of the Electricity Act 2003

IA No. 1 of 2021 - Application seeking interim directions under Regulation 55 of APERC (Conduct of Business) Regulations, 1999 r/w Section 151 of the Code of Civil Procedure, 1908

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

Sri Suhal requested for time for filing rejoinder. Call on 22-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No. 21 of 2020
Tata Power Renewable Energy Ltd Vs. APSPDCL, APSLDC &
APTRANSCO

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

Sri Suhal submitted that recently the Hon'ble APTEL has allowed Appeal No.197/2019 in which similar issues have been raised by declaring that there was deemed generation and directing the respondents to pay compensation. He submitted that he will try to secure and file a copy of the said Judgment and for this purpose he requested for an adjournment. The case is accordingly adjourned. The learned Counsel for the petitioner shall file a copy of the Judgment after serving the same on the other side within three weeks. Call on 22-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No. 45 of 2020
Steel Exchange India Ltd Vs APSLDC / APTRANSCO

Petition Filed under Section 86(1)(e) of The Electricity Act, 2003 R/w Clause 9 of the Andhra Pradesh Electricity Regulatory Commission Renewable Power Purchase Obligation (Compliance by Purchase of Renewable Energy / Renewal Energy Certificates) Regulations, 2017.

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

Rejoinder has been filed by the petitioner. Since a dispute of fact, namely, segregation or otherwise of the power generated through thermal process from Waste Heat Recovery process is involved, the respondent is directed to file further pleadings in this regard. Call on 15-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No. 31 of 2020
APPDCL Vs APSPDCL & APEPDCL

Petition u/s 86 (1) (f) r/w Section 62 for resolving the issues in the matter of operational parameters and variable cost for sub-critical and super-critical operation for procurement of power from 2 x 800 MW Sri Damodaram Sanjeeviah Thermal Power Station (SDSTPS)

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

Heard Sri K. Gopal Choudary in part. He requested for an adjournment for filing the material to substantiate his plea that his client is considered to be super-critical at 660 MW and that if dispatch instructions at 574 MW or above are given, it should be treated as super-critical and if the dispatch instructions are below the said level, it should be treated as sub-critical. Call on 29-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A. No.19 of 2019 in O.P. No. 35 of 2019
M/s. Vayu Urja Bharat Pvt. Ltd Vs. APSPDCL

IA No. 19 of 2020 - Application under Section 142 of the Electricity Act, 2003 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999, as amended, seeking urgent directions against APSPDCL for the non-compliance of this Commission's order dated 31-08-2019 in O.P.No. 35 of 2019

Sri. Sajan Poovayya, Sr. Advocate and Sri Aniket Prasoon, counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

Heard. Reserved for orders.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

IA No. 49 of 2020 in O.P.No. 37 of 2019
Sri. Ch. Chandramouli & Sri Ch. Venugopal Rao Vs Sri. A. Md.Imtiaz IAS
Collector & District Magistrate, Krishna District

Sri. P. Chengal Reddy, counsel for the petitioner and Sri. J. Nivas, Collector & District Magistrate, Krishna District at Machilipatnam are present at the web hearing.

The Collector & District Magistrate filed his affidavit. He has submitted that as far back as May 2021 itself his predecessor passed an order duly fixing the guidelines for the payment of compensation in this case. Sri P. Chengal Reddy however pointed out that the District Collector has not passed the order in the form in which it is expected to be passed. The District Collector submitted that after his predecessor passed the order, inspection was done and the precise area which is covered by towers and tower lines has been ascertained and that follow up action is taken. As rightly submitted by Sri P. Chengal Reddy, before passing the order the District Collector ought to have ascertained the exact area and quantified the compensation with reference to such area. As this has not been done, we permit the present District Collector to pass a fresh speaking order by determining the compensation for the towers area and the lines falling under the right of way apart from compensation if any payable as per law within four weeks and file the same before this Commission after sending a copy thereof to the petitioners. Call on 22-09-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR