

Record of Proceedings dated 05-01-2022

RP No. 6 of 2021 in OP No. 37 of 2020
APTRANSCO, APSPDCL, APCPDCL & APEPDCL Vs. Indian Railways

Review Petition filed under section 94 of Electricity Act read with clause 49 of
APERC Conduct of Business Regulations in OP No. 37 of 2020

Sr.i P. Shiva Rao, learned Standing Counsel for the petitioners and Sri.Pulkit Agarwal, counsel for the respondent are present at the web hearing.

Review Petition is dismissed. (vide separate order)

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 105 of 2021
M/s International Conveyors Limited Vs. APTRANSCO & APSPDCL

Petition under the Sections 86(1)(a), 86(1)(b) and 86 (1)(e) of the Electricity Act, 2003, seeking approval of generic tariff at Rs.3.43/- per unit for sale of wind power to the A.P. DISCOMS, from its generating plants located at Kurnool District, after expiry of the initial ten 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. A.P. Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Counter is filed. The learned Counsel for the petitioner submitted that a copy of the counter is not furnished to him. Sri P. Shiva Rao has undertaken to serve a copy of the counter on the learned Counsel for the petitioner. At the request of the learned Counsel for the petitioner, four weeks' time for filing rejoinder is granted. Meanwhile, the petitioner shall carry out publication in newspapers in terms of Section 64(2) of the Electricity Act 2003. Call on 09-03-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

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, 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 submitted that apart from filing counter affidavit, counter claim has been filed by paying the fees. He however fairly admitted that there is no provision under the extant Regulations for filing of counter claims. Therefore, the counter claim is rejected as not maintainable, however, with liberty to the respondents to file a substantive Petition for the relief claimed in the counter claim. Office shall return the counter claim along with the fees paid by the respondents. For filing rejoinder, call on 09-03-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 89 of 2021
M/s. Mytrah Vayu (Pennar) Private Limited Vs. APSPDCL & APPCC

Petition under Section 86(l)(f) of the Electricity Act, 2003, R/w. APERC (Conduct of
Business) Regulations, 1999 seeking direction to the respondents for releasing
payment against the outstanding monthly invoices towards sale of wind energy along
with the interest/delayed payment surcharge as per Articles 2.2 and 5.2 of the Power
Purchase Agreement dated 27.04.2012.

No representation on behalf of the petitioner. Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Rejoinder is not filed. Counsel for the petitioner is not present. Call on 09-03-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 63 of 2021
Shri Girija Alloy & Power (I) Pvt Ltd Vs. APEPDCL

Petition filed u/s 86 (1) If) of the Electricity Act, 2003 seeking startup power tariff to be in conformity with Clause 17 of Regulation 3 of 2017.

No representation on behalf of the petitioner. Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Rejoinder is not filed. Counsel for the petitioner is not present. Call on 09-03-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No. 21 of 2020
Tata Power Renewable Energy Ltd Vs. APSPDCL, APSLDC & APTRANSCO
Petition for directions treating the loss of a generation of Rs. 68.39 Crores as computed till May 2020 on account of curtailment of power as a deemed generation by the Petitioner/TPREL and direct Respondent No. 1 to make payment for the said Deemed Generation Charges.

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

Sri Suhal Buttan pleaded that the arguing Counsel is not well. He has therefore requested an adjournment. Call on 09-03-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 90 of 2021 & IA No. 1 of 2021
M/s. Mytrah Vayu (Krishna) Private Limited Vs. APSPDCL

Petition under Section 86 (1) (f) of the Electricity Act, 2003 and other applicable provisions of the Electricity Act, 2003 seeking appropriate directions(s) / order(s) from this Hon'ble Commission against the Southern Power Distribution Company of Andhra Pradesh Limited in relation to the issues regarding the delay in execution of minor amendments directed by the Hon'ble Commission to the Power Purchase Agreement dated 12.02.2014 which is severely prejudicing the rights and interests of the Petitioner.

IA filed for interim directions with respect to OP.No. 90 of 2021

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

We have heard Sri Avinash Desai. At the request of Sri P. Shiva Rao, call on 19-01-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 66 of 2021 & IA No. 1 of 2021
M/s. ZR Renewable Energy Pvt Ltd Vs. APSPDCL & APTRANSCO

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute in relation to payment of tariff for electricity units generated and delivered by the petitioner from its 16 MW Wind Power Plant situated in Tadipatri Mandal, Ananthapur District, A.P., and for directions to the Respondents to issue letter of Credit as per Clause 5.4 of the PPA and for appropriate directions for related, incidental and consequential reliefs.

Application filed u/s 94 (2) of the Electricity Act, 2003 r/w Clause 55 of the (Conduct of Business) Regulations

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

Call on 16-03-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 64 of 2021
M/s. Khandke Wind Energy Pvt Ltd Vs. APSPDCL

Petition u/s 86 (1) (e) and Section 86 (1) (f) of the Electricity Act, 2003 r/w Article 10 of the Power Purchase Agreements filed on behalf of M/s. Khandke Wind Energy Pvt Ltd for immediate strict compliance by APSPDCL with the provisions of the various Power Purchase Agreements entered into between the parties and for release of amount due

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

A Memo seeking adjournment has been filed on behalf of the petitioner. The case is accordingly adjourned. Call on 16-03-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No. 59 of 2021
APEPDCL & 2 others Vs. GVK Industries Ltd & 3 others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations 1999 in the matter of Buy-out of GVK Stage-I project by APDISCOMs - Execution of registered sale deed transferring the entire land together with assets of GVK Phase - I in favour of APDISCOMs- not executed by M/s GVK - Dispute between M/s. GVK and licensees - adjudication under Section 86 (1) (f) of the Electricity Act, 2003

Sr.i P. Shiva Rao, learned Standing Counsel for the petitioners, Ms. Amirita Aryandra counsel for the respondents and Sri. M. Venugopala Rao, learned objector are present at the web hearing.

Fresh material has been filed by the petitioner, as a result of which the Counsel for respondent No.1 justifiably sought an adjournment. Sri M. Venugopal Rao submitted that he has not received the papers. Sri P. Shiva Rao has undertaken to serve a set of papers on the learned objector. Call on 16-03-2022.

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.

OP is allowed (vide separate order)

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

Since the hearing of this case requires substantial time, the O.P. is adjourned to 19-01-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR