

Record of Proceedings dated 06-01-2021

O.P.No.41 of 2020

APEPDCL Vs ---

Petition for determination of the True-up for distribution Business for 3rd control period (FY 2014-15 to FY 2018-19) under Clause 19, Pg 14 of the APERC (Terms and Conditions for Determination of Tariff for Wheeling and Retail Sale of Electricity) Regulation No.4 of 2005

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

On a further request of Sri P. Shiva Rao for time for filing response, call on 07-04-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.42 of 2020

APTRANSCO Vs ---

Petition for Determination of Tariff for Intra-State Transmission lines of APTRANSCO carrying interstate power for the FY2015-16 & FY 2016-17 to include the same in the PoC Mechanism

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

AP Transco has addressed a letter to tag on this O.P. along with O.P.No.47 of 2020. In view of the same, call this O.P. along with the said O.P. on 24-03-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.27 of 2020

Sri. G. Maheswara Rao Vs The Collector and District Magistrate, Krishna District, APTRANSCO & GoAP

Petition under Electricity Act, 2003, AP Works of Licensee Rules 2007 Rule 13 (2)

O.P.No.28 of 2020

Sri. Pothumarthi Venkateswara Rao & 12 others

The Collector and District Magistrate, Krishna District, APTRANSCO & GoAP

Petition under Electricity Act, 2003, AP Works of Licensee Rules 2007 Rule 13 (2)

Sri P. Chengal Reddy, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for AP Transco are present at the web hearing.

During hearing, it has been noticed that the office has wrongly numbered the cases as Original Petitions instead of numbering them as Revision Petitions. The Commission has pointed out this defect during the hearing and proposed to re-number the cases as revisions. The Commission shall do the needful accordingly. Both parties have referred in their pleadings certain Government Orders and the proceedings issued by AP Transco, but none of them have been filed by them. Both parties are therefore directed to file the documents referred to in the respective pleadings within four weeks for better appreciation of the cases. The cases are accordingly adjourned for this purpose. Call on 28-04-2021 for hearing.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.21/2020 in O.P.No.21 of 2017

M/s. Orange Uravakonda Wind Power Pvt. Ltd Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 passed by the Commission in OP.Nos. 21 of 2017 to OP.No. 27/2017.

I.A.No.22/2020 in O.P.No.22 of 2017

M/s. Khandke Wind Power Pvt. Ltd Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 passed by the Commission in O.P.Nos.21 of 2017 to O.P.No.27 of 2017

I.A.No.23/2020 in O.P.No.23 of 2017

M/s. Orange Anantapur Wind Power Pvt. Ltd. Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 passed by the Commission in O.P.Nos.21 of 2017 to O.P.No.27 of 2017

I.A.No.24/2020 in O.P.No.24 of 2017

M/s. Tada Wind Energy (P) Ltd., Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 passed by the Commission in O.P.Nos.21 of 2017 to O.P.No.27 of 2017

I.A.No.25/2020 in O.P No.25 of 2017
Mytrah Vayu (Penuar) Pvt. Ltd., Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 passed
by the Commission in O.P.Nos.21 of 2017 to O.P.No.27 of 2017

I.A.No.26/2020 in O.P.No.26 of 2017
Mytrah Vayu (Krishna) Pvt. Ltd., Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 passed
by the Commission in O.P.Nos.21 of 2017 to O.P.No.27 of 2017

I.A.No.27/2020 in O.P.No.27 of 2017
M/s. Mytrah Vayu (Indravathi) Pvt.Ltd Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 passed
by the Commission in O.P.Nos.21 of 2017 to O.P.No.27 of 2017

I.A.No.28/2020 in O.P.No.35 of 2017
M/s. Jindal Aluminium Ltd Vs APSPDCL & 2 others
Application seeking review of the order Dt: 14-06-2018 passed by the Commission in
OP.Nos.21 of 2017 to O.P.No.27/2017 (O.P.No.35/2017)

I.A.No.29/2020 in O.P.No.1 of 2018
M/s. Tata Power Renewable Energy Ltd., Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 in
O.P.No.1 of 2018

I.A.No.30/2020 in O.P.No.7 of 2018
Welspun Renewable Energy Ltd., Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 in
O.P.No.7 of 2018

I.A.No.31/2020 in O.P.No.20 of 2018
M/s. KCT Renewable Energy Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 06-10-2018 in
O.P.No.20 of 2018

I.A.No.32/2020 in O.P.No.21 of 2018
M/s. Ostro Anantapur Pvt Ltd., Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 in
OP.No.21 of 2018

I.A.No.33/2020 in O.P.No.22 of 2018
M/s. KCT Renewable Energy Pvt.Ltd., Vs APSPDCL & 2 others
Application filed by APDISCOMs seeking review of the order Dt: 14-06-2018 in
O.P.No.22 of 2018

Sri Challa Gunaranjan, learned counsel for (i) M/s. Orange Uravakonda Wind Power
Pvt. Ltd (ii) M/s. Orange Anantapur Wind Power Pvt. Ltd. (iii) Mytrah Vayu (Pennar)

Pvt. Ltd. (iv) Mytrah Vayu (Krishna) Pvt. Ltd. (v) M/s. Mytrah Vayu (Indravathi) Pvt. Ltd. and (vi) M/s. Jindal Aluminium Ltd. Sri Shri Venkatesh, learned counsel for (i) M/s. Tata Power Renewable Energy Ltd. & (ii) M/s. Welspun Renewable Energy Ltd. Ms. Mazag Andrabi, learned counsel for (i) M/s. KCT Renewable Energy (ii) M/s. Ostro Anantapur Pvt. Ltd. (iii) M/s. KCT Renewable Energy Pvt Ltd and Ms. Shreya Mukerjee, learned counsel for (i) M/s. Khandke Wind Power Pvt. Ltd. & (ii) M/s. Tada Wind Energy (P) Ltd. and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present at the web hearing.

Counters have been received by the Commission in I.A.Nos.29 & 30 of 2020. Sri Challa Gunaranjan, learned counsel submitted that he has sent counters in I.A.Nos.25, 26 & 27 of 2020. Ms. Mazag Andrabi also submitted that she has filed the counters today in I.A.Nos.31, 32 and 33 of 2020. Ms. Shreya Mukerjee submitted that as her senior is not well, they could not file the counters in I.A.Nos.22 & 24 of 2020. She requested for further time for filing counters. Time is accordingly granted. Call on 28-04-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.43 of 2019 & I.A.No.17 of 2019
M/s. ITC Limited Vs APSPDCL & 3 others
Petition under Section 86(1)(b) and 86(1)(f) of the Electricity Act, 2003 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 for directions to be issued to the Respondents in relation to making payment for the energy injected into the grid owing to unlawful denial of open access in compliance with the order dated 13-06-2016 passed by the Central Electricity Regulatory Commission

Interlocutory application filed by APSLDC (R-4) under Clause 55 of APERC (Conduct of Business) Regulations to reject the O.P.No.43 of 2019 on the ground that it is barred by law of limitation of 3 years

Sri Jeevan Kumar, learned counsel representing Sri P. Vikram, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present at the web hearing.

At the request of the learned counsel for the petitioner, call on 07-04-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.6 of 2020

M/s. Spectrum Power Generation Ltd Vs APSPDCL, APEPDCL & APTRANSCO
Petition under Section 86 (1)(f) of the Electricity Act, 2003 read with Clause (55) of
APERC (Conduct of Business) Regulations seeking recovery of rebate (2.5%)
deducted by DISCOMs in payment of monthly energy bills

Sri S. Ravi, learned senior counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present at the web hearing.

We have heard Sri S. Ravi, learned senior counsel in part. During the hearing, it has come to the Commission's notice that the petitioner has not filed relevant tariff orders for FY 2018-19 and 2019-20. Sri S. Ravi has undertaken to upload the said documents along with a Memo within one week. It has also come out that the respondents have not filed the documents which were supplied to the petitioner along with the counter before this Commission. Sri P. Shiva Rao has undertaken to file those documents before this Commission within one week. For further hearing, call on 24-02-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

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MEMBER / PRR

O.P.No.20 of 2020

M/s. Chaitanya Projects Vs APSPDCL & 2 others
Petition filed u/s 86 (1) (b) r/w 86 (1) (f) of the Electricity Act, 2003 r/w APERC
(Conduct of Business) Regulation 1999 seeking directions to the Respondent No.1
to act upon the PPA dt.30-03-2017 entered into with the petitioner for purchase of
power from its 0.8 MW Wind Power Project and to direct to pay for the power
generated and supplied from the petitioner's project for the period from the date of
the commissioning i.e., 29-03-2017 onwards along with interest and to direct the

APSPDCL to open irrevocable revolving letter of credit as per Article 5.4 of PPA dt.30-03-2017.
O.P.No.9 of 2020; I.A.No.10 of 2020; I.A.No.11 of 2020; I.A.No.38 of 2020; I.A.No.41 of 2020
M/s.Vibrant Greentech India Pvt Ltd., Vs APSPDCL & 2 others

Petition U/Sec. 86(1)(b) r/w 86 (1) (f) of the Electricity Act, 2003 R/w APERC (Conduct of Business) Regulations, 1999 to direct the APSPDCL to act upon the PPA dt.30-03-2017 entered into with the petitioner for purchase of power from its 4.25 MW wind power project and to direct to pay for the power generated and supplied from the petitioner's project, for the period from the date of COD i.e., 30-03-2017 onwards along with interest and to direct APSPDCL to open irrevocable revolving letter of credit as per Article 5.4 of PPA dated 30-03-2017

I.A.No.10 of 2020 - Application filed under Section 94(2) r/w 86(1) (b) and 86(1) (f) of the Electricity Act, 2003 read with APERC (Conduct of Business) Regulations, 1999 seeking directions to APSPDCL to make payment for the power supplied by the petitioner's 4.25 MW Wind Power Project (WPP) during the pendency of O.P.No.9 of 2020 at an appropriate interim tariff.

I.A.No.11 of 2020 - Application filed under Section 94(2) r/w 86(1) (b) and 86(1) (f) of the Electricity Act, 2003 read with APERC (Conduct of Business) Regulations, 1999 seeking directions to the respondents to reconnect the petitioner's 4.25 MW WPP and to account the energy exported from the petitioner's project.

I.A.No.38 of 2020 - Application filed by the Respondent No.1 / APSPDCL in O.P.No.9 of 2020 Under Clause 16(3) R/w Clause 55 of APERC (Conduct of Business) Regulation 2 of 1999 for submitting additional Documents

I.A.No.41 of 2020 - Application filed by the petitioner under Clause 16 r/w Clause 55 of APERC (Conduct of Business) Regulation 2 of 1999 to receive the additional documents on behalf of the petitioner

Sri P. Sriraghuram, learned senior counsel for the petitioner in O.P.No.20 of 2020, Sri Challa Gunaranjan, learned counsel for the petitioner in O.P.No.9 of 2020 and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present at the web hearing.

Sri Challa Gunaranjan, learned counsel submitted that amendment petitions have been filed. However, they are not available on file. The office shall verify, process and number the same if they are in order. Sri P. Shiva Rao submitted that the respondents will file an additional counter on merits to the proposed amendment petitions. Both parties offered to file brief notes. For hearing the cases finally, call on 24-02-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

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MEMBER / PRR