

**Record of Proceedings dated 06-04-2021**

O.P.No.27 of 2021 and I.A.No.1 of 2021  
M/s. Mayura Steels Private Limited Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 22-04-2010 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 O.P.Nos.6 & 7 of 2009

I.A.No.1 of 2021 - 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 A. Purushotham 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, learned Standing Counsel for the power utilities requested for two weeks' time for filing counter affidavit. The petitioner is permitted to file rejoinder, if any, within three weeks thereafter. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.28 of 2021 and I.A.No.1 of 2021  
M/s. Happy Valley Developers Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 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 O.P.Nos.6 & 7 of 2009

I.A.No.1 of 2021 - 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 A. Purushotham 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, learned Standing Counsel for the power utilities requested for two weeks' time for filing counter affidavit. The petitioner is permitted to file rejoinder, if any, within three weeks thereafter. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.29 of 2021 and I.A.No.1 of 2021

M/s. Canara Cement Pipes Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 19-04-2010 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 O.P.Nos.6 & 7 of 2009

I.A.No.1 of 2021 - 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 A. Purushotham 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, learned Standing Counsel for the power utilities requested for two weeks' time for filing counter affidavit. The petitioner is permitted to file rejoinder, if any, within three weeks thereafter. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.30 of 2021 and I.A.No.1 of 2021

M/s. Orange Sorting Machines (India) Private Limited Vs APTRANSCO & APSPDCL  
Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 19-04-2010 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 O.P.Nos.6 & 7 of 2009

I.A.No.1 of 2021 - 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 A. Purushotham 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, learned Standing Counsel for the power utilities requested for two weeks' time for filing counter affidavit. The petitioner is permitted to file rejoinder, if any, within three weeks thereafter. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.31 of 2021 and I.A.No.1 of 2021  
M/s. Megha Associates Vs APTRANSCO & APSPDCL  
Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 24-03-2010 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 O.P.Nos. 6 & 7 of 2009

I.A.No.1 of 2021 - 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 A. Purushotham 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, learned Standing Counsel for the power utilities requested for two weeks' time for filing counter affidavit. The petitioner is permitted to file rejoinder, if any, within three weeks thereafter. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.32 of 2021 and I.A.No.1 of 2021  
M/s. Shilpa Medicare Limited Vs APTRANSCO & APSPDCL  
Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 03-03-2010 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 O.P.Nos.6 & 7 of 2009

I.A.No.1 of 2021 - 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 A. Purushotham 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, learned Standing Counsel for the power utilities requested for two weeks' time for filing counter affidavit. The petitioner is permitted to file rejoinder, if any, within three weeks thereafter. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.33 of 2021 and I.A.No.1 of 2021

M/s. Nandi Roller Flour Mills Private Limited Vs APTRANSCO & APSPDCL  
Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 20-04-2010 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 O.P.Nos. 6 & 7 of 2009

I.A.No.1 of 2021 - 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 A. Purushotham 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, learned Standing Counsel for the power utilities requested for two weeks' time for filing counter affidavit. The petitioner is permitted to file rejoinder, if any, within three weeks thereafter. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.34 of 2021 and I.A.No.1 of 2021

M/s. Protectron Electromech Private limited Vs APTRANSCO & APSPDCL  
Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the EAct, 2003 for approval  
of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for  
PPA dated 22-04-2010 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 O.P.Nos. 6 & 7  
of 2009

I.A.No.1 of 2021 - 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 A. Purushotham 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, learned Standing Counsel for the power utilities requested for two  
weeks' time for filing counter affidavit. The petitioner is permitted to file rejoinder, if  
any, within three weeks thereafter. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.29 of 2020

M/s. Vaayu (INDIA) Power Corporation Limited Vs ---  
Petition under the Sections 86(1)(a), 86(1)(b) and 86(1)(e) of the Electricity Act, 2003,  
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 Anil Dutt, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing  
Counsel for the utilities are present at the web hearing.

Further time for filing rejoinder is requested for. Call on 23-06-2021.

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  
I.A.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, learned senior counsel along with Sri Aniket Prasoon, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

An affidavit has been filed by the Chief General Manager (Projects), APCPDCL to which Sri Sajan Poovayya, learned Senior counsel has taken serious exception. Having regard to the facts of the case, the Commission is not convinced with the *bona fides* of the respondents in seeking to take shelter under the pending proceedings before the Hon'ble Supreme Court. Having realised the gravity of the situation, Sri P. Shiva Rao has taken instructions from their respondents and made an unequivocal statement that the entire admitted amount of Rs.55.64 crores will be paid by 15-05-2021. As this is the second time that such an undertaking is given, if the respondents fail to comply with this undertaking, the Chairman & Managing Director of the respondents-company shall be personally present to explain the non-compliance, on the next date of hearing. Call on 16-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.49 of 2020  
M/s. Vish Wind Infrastrukture LLP Vs ---  
Petition under the Sections 86(1)(a), 86(1)(b) and 86(1)(e) of the Electricity Act, 2003, 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 Anil Dutt, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present at the web hearing.

Further time for filing rejoinder is requested for. Call on 23-06-2021.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.36 of 2020 & I.A.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.

I.A.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, learned 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. At the request of Sri P. Shiva Rao, learned Standing  
Counsel for the respondents, call on 05-05-2021 for hearing.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

I.A.No.12 of 2020 & I.A.No.44 of 2020 in O.P. No.73 of 2019

M/s. Aditya Birla Renewable SPV 1 Ltd Vs APSPDCL & APTRANSCO  
Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 and other applicable  
provisions of the Electricity Act, 2003 read with APERC (Terms and Conditions of  
Open Access) Regulations, 2005, against Respondent No.1 for claiming wheeling  
charges and losses from the petitioner for alleged use of distribution system, when no  
distribution system of Respondent No.1 is been utilized for transmitting electricity  
from 20 MW captive solar project of the Petitioner

I.A.No.12 of 2020 - Application filed for interim relief

I.A.No.44 of 2020 - Application filed by the petitioner for Amendment of petition on behalf of the applicant / petitioner in O.P.No.73 of 2019

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

Heard. Orders reserved.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR

O.P.No.74 of 2019 I.A.No.27 of 2019

M/s.Azure Power India Pvt. Ltd Vs APSLDC, APTRANSCO, APEPDCL, NTPC & MNRE

Petition filed by the petitioner under Section 33(4) read with Section 86(1)(e), 86(1)(f), and 86(1)(k) of the Electricity Act, 2003, and Regulation 8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 as amended from time to time, inter alia seeking direction(s) to the Respondents to implement the MUST RUN status accorded to the Petitioner's Solar Projects in letter and spirit, refrain from illegally curtailing the solar energy generated therefrom and compensate the Petitioner for the unlawful and arbitrary curtailment of generation from the Petitioner's Solar Project

I.A.No.27 of 2019 filed by the petitioner under Regulation 16 read with Regulation 55 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 as amended from time to time, inter alia seeking interim direction(s) to the Respondents to implement the MUST RUN status accorded to the Petitioner's Solar Project in letter and spirit, and to produce the documents specified in the application which are necessary for the purpose of enabling the Commission to pass orders for adjudication of the Original Petition.

O.P. No.61 of 2019 I.A.No.20 of 2019 & I.A.No.19 of 2020

M/s. SBG Cleantech Project Co Pvt. Ltd Vs APSLDC, APTRANSCO, APEPDCL, NTPC & MNRE

Petition u/s 33 (4) read with Sections 86 (1) (e), 86 (1) (f) and 86 (1) (k) of the Electricity Act, 2003 and Regulation 8 of the APERC (Conduct of Business) Regulations, 1999 as amended from time to time, inter-alia, seeking direction(s) to the respondents to implement the MUST RUN status accorded to the petitioner's Solar Project in letter and spirit, refrain from illegally curtailing the solar energy generated therefrom, and compensate the petitioner for the unlawful and arbitrary curtailment of generation from the petitioner's Solar Project

I.A.No.20 of 2019 filed by the petitioner under Regulation 16 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 as amended from time to



time, inter-alia, seeking interim direction(s) to the respondents to implement the MUST RUN status accorded to the petitioner's Solar Project in letter and spirit and to produce documents specified hereunder which are necessary for the purpose of enabling this Commission to pass order for adjudication of the petition filed under Section 33 (4) read with Section 86 (1) (e), 86 (1)(f) and 86 (1) (k) of the Electricity Act, 2003.

"Application filed by R-1 in OP No. 61 of 2019 by Respondent No.1/ APSLDC Under Clause 16 (3) r/w Clause 55 of APERC Conduct (Business Regulations) 2 of 1999 for submitting additional documents "

Sri Sanjay Sen, learned senior counsel along with Sri Aniket Prasoon, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Both the learned counsel on either side advanced their further submissions. Orders are reserved on the constitution of the committee.

Sd/-  
MEMBER / TRS

Sd/-  
CHAIRMAN

Sd/-  
MEMBER / PRR