

RECORD OF PROCEEDINGS DATED 06-07-2022

OP No. 28 of 2022
OP No. 29 of 2022
OP No.30 of 2022
APSPDCL, APCPDCL, APEPDCL

Petitions for pass through of Fuel & Power Purchase Cost Adjustment (FPPCA) for 3rd quarter for FY 2021-22 (Oct'21 to Dec'21) in Rs./unit as per Regulation No.4 of 2021

Sri P.Shiva Rao, learned Standing counsel for the DISCOMS, Sri A.V.L.K.Jagannadha Sarma, OSD, APPCC, and Rajasekhar Reddy, DE, APSPDCL for the petitioners; and Sri P.Shiv Kumar- APTMA, Sri Vijaya Gopala Reddy, and Sri M.Venugopal Rao, learned Objectors, are present at the public hearing.

Public hearing is completed.

Orders reserved.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 102 of 2022
OP No. 103 of 2022
OP No.104 of 2022
(APSPDCL, APCPDCL, APEPDCL)

Filing of application for pass through of Fuel & Power Purchase cost Adjustment (FPPCA) for 1st quarter for FY 2021-22 (Apr'21 to Jun'21) in Rs/Unit as per Second amendment to APERC Regulation No.4 of 2005 (Terms and condition for determination of tariff on wheeling and retail sale of electricity) Regulation No.4 of 2021.

Sri P.Shiva Rao, learned Standing counsel for the DISCOMS, Sri A.V.L.K.Jagannadha Sarma, OSD, APPCC, and Rajasekhar Reddy, DE, APSPDCL for the petitioners; and Sri P.Shiv Kumar- APTMA, Sri Vijaya Gopala Reddy, and Sri M.Venugopal Rao, learned Objectors, are present at the public hearing.

Public hearing is completed.

Orders reserved.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

RP No. 2 of 2022 in Proceedings No. 11/T-52/2021 dt. 26-10-2021
(Lanco Kondapalli Power Limited vs. APSPDCL, APEPDCL, APCPDCL, APTRANSCO)

Sri Deepak Chowdary, learned counsel for the petitioner; and Sri P.Shiva Rao, learned Standing counsel for the respondents, are present.

At the request of Sri P.Shiva Rao, learned Standing counsel for the respondents, four weeks time for filing counter is granted.

Call on 17-8-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

RP No. 4 of 2022 in OP No. 52 of 2019
APPDCL Vs. APDISCOMs

(Petition filed for review of the order dated 13-08-2020 passed in OP 52 of 2019 with respect to payment of fixed charges on normative availability of power of 85% of the capacity and the incentive also to commence from above 85%)

Sri K.Gopala Chowdary, learned Standing Counsel for the petitioner; and Sri P.Shiva Rao, learned Standing counsel for the respondents, are present.

At the request of Sri P.Shiva Rao, learned Standing counsel for the respondents, four weeks time for filing counter is granted.

Call on 17-8-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 35 of 2022
Tirumala Cotton and Agro Products Pvt Ltd., Vs. APPCC, APSPDCL, APTRANSCO,APSLDC

Petition filed u/s 86(1) (e) of the electricity act, 2003 r/w clause 9 of the APERC (Conduct of Business) Regulations, 1999 to direct the respondents to make payment of an amount of Rs. 76,30,134.37/- due to the petitioner in respect of the sale invoice / bill of supply dt 06-07-2019 for the FY 2018-19 towards sale of the un-utilized banked units

Sri Sricharan Telaprolu, learned counsel for the petitioner; and Sri P.Shiva Rao, learned Standing counsel for the Respondents, are present at the hearing.

Sri P.Shiva Rao, learned Standing counsel for the Respondents, submitted that the petitioner is liable to pay wheeling charges to the respondents in excess of the latter's entitlement.

The learned counsel for the petitioner, however, submitted that there is a dispute regarding wheeling charges and he offered to make his submissions after getting instructions.

Call on 27-7-2022. Meanwhile, the respondents may file counter, if any.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 12 of 2022

M/s. Palnadu Solar Power Pvt Ltd Vs. APCPDCL & APPCC
(Petition under Section 86(I)(f) r/w. Section 86(I)(e) of the Electricity Act, 2003,
Regulation 8 of the Andhra Pradesh Electricity Regulatory Commission (Conduct of
Business) Regulations, 1999 seeking direction to the Respondents for releasing payment
of the outstanding amounts along with interest on delayed payment of invoices towards
sale of Solar Power as per the PPA.)

Sri Deepak Choudary, Advocate, representing Sri Challa Gunaranjan, learned counsel for the petitioner; and Sri P.Shiva Rao, learned Standing counsel for the Respondents, are present at the hearing.

On behalf of the respondents, a memo has been filed, wherein it is stated that an amount of Rs.7,71,06,795/- (Rupees seven crores, seventy one lakhs, six thousand, seven hundred and ninety five only) has been paid on different dates commencing from 12-5-2022 to 04-7-2022.

Sri Deepak Chowdary, learned counsel representing the petitioner, admitted receipt of the said amounts.

Since a substantial part of the liability has been discharged by the respondents, the O.P. shall be posted for final hearing.

Call on 07-9-2022.

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(I)(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.)

Sri Deepak Choudary, learned counsel for the petitioner; and Sri P.Shiva Rao, learned Standing counsel for the Respondents, are present at the hearing.

Sri Deepak Choudary, learned counsel for the petitioner, submitted that the principal amount, as claimed in the O.P., has been paid by the respondents and the issue relating to LPAs also remains for adjudication. In view of the same, the O.P., is required to be heard finally.

Call on 07-9-2022.

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)

Both at the first instance when the case was called and also after passover, counsel for the petitioner was not present.

Hence, the matter is adjourned *sine die*.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

RP No. 3 of 2021
in
OP No. 33 of 2019 & OP No. 35 of 2018 (PART)

Petition u/s 94 of the Electricity Act, 2003 r/w Regulation 49 (1) of the APERC
(Conduct of Business) Regulation 1999 seeking review of APERC order dt.
31-12-2020 in OP No. 33 of 2019 & OP No. 35 of 2018 (PART)

Both at the first instance when the case was called and also after passover,
counsel for the petitioner was not present.

Hence, the matter is adjourned *sine die*.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 93 of 2021
M/s Axis Wind farms (MPR Dam)
OP No. 94 of 2021
M/s Saipuram Wind Energies Pvt Ltd.,
OP No. 95 of 2021
M/s JED Solar Parks Pvt. Ltd.,
OP No. 96 of 2021
M/s Skeiron Renewable Energy Amidyala Ltd.,
OP No. 97 of 2021
M/s Animala Wind Power Pvt Ltd.,
OP No. 98 of 2021
M/s Poly Solar Parks Pvt. Ltd.
OP No. 99 of 2021
M/s Vayuputhra Energy Pvt Ltd.
OP No. 100 of 2021
M/s Sandla Wind Project Pvt. Ltd.,
OP No. 101 of 2021
M/s Guttaseema Wind Energy Company Pvt Ltd.,

Sri D. Prakash Reddy, learned Senior Counsel representing Sri Vikram Poorsarla, learned counsel for the petitioner; and Sri P.Shiva Rao, learned Standing counsel for the Respondents, are present at the hearing.

Sri P.Shiva Rao, learned Standing counsel for the Respondents, requested time for filing counter-affidavit.

As huge arrears have piled up in respect of the RE developers, following the judgment of the Honourable High Court of Andhra Pradesh, the respondents are directed

to prepare a route map and evolve a strategy for clearing the arrears in a time bound manner.

The respondents shall come out with the same in their counter-affidavit.

Call on 17-8-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR