

Record of Proceedings dated 10-03-2021

O.P.No.38 of 2020
APEPDCL Vs ---
O.P.No.39 of 2020
APSPDCL Vs ---

Petition seeking approval of the Commission to consider issuing suitable amendments to certain clause of the Regulation 6/2004 in pursuant to clause 11 (2) of Regulation 6/2004

Sri C.V. Mohan Reddy, learned senior counsel representing Sri Challa Gunaranjan, learned counsel for (i) M/s. Synergies Castings Ltd (ii) M/s. Rain Cements Ltd (iii) M/s. AP Ferro Alloys Producers Association & (iv) M/s. Abhijeet Ferro Tech Ltd., Sri K. Gopal Choudary, learned counsel for Federation of Andhra Pradesh Chambers of Commerce and Industry (FAPCCI) and Sri P. Shiva Rao, learned Standing Counsel for APEPDCL & APSPDCL are present at the web hearing.

Sri P. Shiva Rao submitted that APSPDCL has submitted its responses to the objections. Sri K. Gopal Choudary, however, submitted that the licensees have not filed any responses to the objections filed by his clients. Sri P. Shiva Rao submitted that as the responses to the objections raised by the other objectors have already been filed, there is no need for submitting separate responses to the objections filed by Sri K. Gopal Choudary's clients. The responses of the petitioners and the objections of the objectors shall be uploaded in the Commission's website by the office. Call on 16-06-2021 for hearing.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.16 of 2021

M/s. Protectron Electromech Private limited Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 22-04-2010 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.17 of 2021

M/s. Orange Sorting Machines (India) Private Limited Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 19-04-2010 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.18 of 2021

M/s. International Conveyors Limited (Phase-II) Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 20-08-2011 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.19 of 2021

M/s. Mayura Steels Private Limited Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 22-04-2010 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.20 of 2021

M/s. Shilpa Medicare Limited Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 03-03-2010 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.21 of 2021

M/s. Nandi Roller Flour Mills Private Limited Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 20-04-2010 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.22 of 2021

M/s. Canara Cement Pipes Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 19-04-2010 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.23 of 2021

M/s. Meghna Associates Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 23-04-2010 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.24 of 2021

M/s. International Conveyors Limited (Phase-I) Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 20-08-2011 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.25 of 2021

M/s. Happy Valley Developers Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 16-12-2010 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.26 of 2021

M/s. Ramson Asbestos Cement Products Vs APTRANSCO & APSPDCL

Petition under Section 86 (1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the Power Purchase Agreement dated 31-01-2012 and for a direction against the Respondents for the payments of the outstanding amounts

O.P.No.35 of 2021

M/s. Protectron Electromech Private limited Vs APTRANSCO & APSPDCL

Petition under section 8(1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the PPA dated 16-10-2012 and for a direction against the respondents for the payments of the outstanding amounts

O.P.No.36 of 2021

M/s. R3K Power LLP Vs APTRANSCO & APSPDCL

Petition under section 8(1)(b), 86(1)(e) and 86 (1) (f) of the EAct, 2003 for specific performance of the PPA dated 03-01-2013 and its amendment dated 08-05-2020 for a direction against the respondents for the payments of the outstanding amounts

O.P.No.38 of 2021 & I.A.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

I.A.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 Shri Venkatesh, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Sri P. Shiva Rao requested for four weeks' time for filing counters in all these cases. Two weeks' time is granted for the petitioners to file rejoinders, if any to the counters that may be filed by the respondents. Call on 16-06-2021 for hearing.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.34 of 2020 in O.P.No.30 of 2016
M/s. SIFLON Drugs Vs APTRANSCO & APSPDCL

Petition under Section 142 of the Electricity Act, 2003 r/w Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 for violating and dis-obeying the orders passed by the Commission dt.31-03-2018 in OP No.30 of 2016.

Sri Deepak Chowdary, 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 the petitioner has filed the calculation memo only yesterday. He requested for time for verification and instructions. Call on 07-04-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.1 of 2021 in O.P.No.22 of 2020
M/s. Sardar Power Pvt Ltd., Vs APEPDCL

Petition u/s. 64 (1) r/w Ss 62 (1) (a) 61, 86 of the Electricity Act, 2003 for determination of tariff for the supply of electricity of its 1.725 MW Minihydel project to APEPDCL

I.A.No.1 of 2021 - Application held to return the O.P. for the present until disposal of W.P. No.13160 of 2016

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

Learned counsel for the respondent in the I.A. / petitioner in O.P. submitted that they have initiated the process of withdrawal of the Writ Petition pending before the Hon'ble High Court for the State of Telangana at Hyderabad and that after such withdrawal, the O.P. may be heard and decided on merits by this Commission. In the light of this submission, the I.A. is closed and the O.P. is adjourned *sine die* with liberty to the petitioner to move the Commission for hearing of the O.P. after the disposal of the Writ Petition.

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 Shri Venkatesh, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Rejoinder is filed. As the O.P. is required to be heard finally, call on 16-06-2021.

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 / Renewable Energy Certificates) Regulations, 2017.

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

Counter affidavit is filed. At the request of the learned counsel for the petitioner, call on 16-06-2021 for filing rejoinder, if any and for hearing.

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

At the request of the learned counsel for the parties, call on 16-06-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.76 of 2019
M/s Axis Wind Farms (Anantapur) Pvt. Ltd., M/s Axis Wind Farms (Rayalaseema) Pvt. Ltd and M/s Axis Energy Ventures India Pvt. Ltd. Vs APSLDC, APTRANSCO, APSPDCL, Energy Department, GoAP, MNRE and SRLDC

Petition filed under Section 33(4) read with Section 86(1)(e), 86(1)(f), and 86(1)(i) of the Electricity Act, 2003, seeking various declaratory and substantive reliefs in respect of the arbitrary, illegal, and wrongful curtailment of generation from each of the first and second petitioners' 105 MW Wind Power Plants

Ms. Samykya Mukku, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Four more weeks' time for filing rejoinder is sought. Call on 23-06-2021.

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 and Sri Aniket Prasoon, learned counsel for the petitioners, Sri Puneet Jain, learned counsel for APSLDC and Sri P. Shiva Rao, learned Standing Counsel for the licensees are present at the web hearing.

Sri Sanjay Sen, learned senior counsel, advanced his submissions in part. During the hearing, a suggestion has fallen from the Commission that it may be appropriate to refer all the technical issues to an expert committee based on whose report the O.P. can be disposed of, upon consideration of the legal issues. Sri Sanjay Sen and Sri Aniket Prasoon, learned counsel for the petitioners and Sri Puneet Jain and Sri P. Shiva Rao for the respondents, requested for time for instructions from their respective clients and report to the Commission on the said suggestion. Call on 24-03-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

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MEMBER / PRR