

Record of Proceedings dated 10-11-2021

OP No. 85 of 2021
M/s. Beta Wind farm Pvt Ltd Vs. APSPDCL

Petition u/s 86 (1) (f), 86 (1) (b) and other applicable provisions of the Electricity Act, 2003 seeking adjudication of disputes in relation to the short payment of tariff by the respondent - licensee

Ms. Harini Subramani, counsel for the petitioner and Sri P. Shiva Rao, learned Standing counsel for the Respondent are present at the web hearing.

Counter is filed. Ms. Harini Subramani, however, submitted that she has not received a copy of the counter. Sri P. Shiva Rao undertook to serve the counter immediately. At the request of the learned Counsel for the petitioner, three weeks' time for filing rejoinder is granted. Call on 22-12-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP. No. 86 of 2021 & IA No. 1 of 2021
M/s. Sarda Metals & Alloys Ltd Vs. APEPDCL

Petition u/s 86 (1) (f) of the Electricity Act, 2003 challenging the levy & collection of overinjection charges and seeking a direction to the respondent to pay an amount of Rs.2,90,81,340/- towards the power (10769675 KWH) injected by the petitioner during the period of 03.02.2013 to 28.02.2021.

Application seeking interim relief

Sri. K. Keertivardhan Reddy representing Sri. P. Vikram, counsel for the petitioner and Sri. Sri P. Shiva Rao, learned Standing counsel for the Respondent are present at the web hearing.

Further time for filing counter is requested by Sri P. Shiva Rao. The request is accordingly accepted. Call on 15-12-2021 for filing counter.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP. No. 87 of 2021
M/s. NSL Sugars (Tungabhadra) Ltd Vs. APPCC, APSPDCL, APEPDCL &
CGM/P&MM, IPC, APSPDCL

OP. No. 88 of 2021
M/s. NSL Sugars Ltd Vs. APPCC, APSPDCL, APEPDCL & CGM/P&MM, IPC,
APSPDCL

Petition filed u/s 142 of the Electricity Act, 2003 r/w Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 for violating and disobeying the orders passed by this Commission dt. 30-03-2019

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

Sri P. Shiva Rao submitted that his clients do not intend to file any counters as they are willing to pay the amounts under the orders passed by this Commission, however without prejudice to their right to pursue the appeals before the Hon'ble Supreme Court. He requested two weeks' time or such payment. Accordingly, the respondents are directed to pay the dues to the petitioners within two weeks from today and report compliance by the next date of hearing, which shall be 22-12-2021.

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

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

Sri P. Shiva Rao submitted that rejoinders have been filed. Ms. Rubaina Khatoon submitted that they are ready to make their submissions in the O.P. and requested for posting the case for hearing. Call on 22-12-2012 for hearing.

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.Deepak Chowdary, Advocate representing 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.

Sri.Deepak Chowdary representing Sri K. Gopal Choudary, submitted that there is bereavement in the family of the arguing counsel. He requested for an adjournment. Call on 22-12-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

RP No. 4 of 2021 in OP Nos. 51 to 53 of 2021
APSLDC Vs. APDISCOMs

Application u/s 94 (2) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations seeking Modification of directions issued at Para No. 97 of Retail Supply Tariff Order directing the SLDC to provide link showing the real time generation and demand to the Hon'ble Commission

Sri P. Shiva Rao, learned Standing counsel for the APDISCOMs is present at the web hearing.

This application is filed for reviewing the Retail Supply Tariff Order order dated 25-3-2021 for FY 2021-22. On the previous occasion, the respondents undertook to file an affidavit but the same has not been filed. Having considered the contents of

the Review Petition in detail, we do not find any error apparent on the face of the record or otherwise. Hence the Review Petition is dismissed.

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. Shri Venkatesh, counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents and Advocate from office of the Advocate General are present at the web hearing.

The learned Counsel representing the learned Advocate General appearing for the respondents submitted that due to personal inconvenience, he is unable to attend the hearing. He requested for an adjournment. Call on 22-12-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

IA No. 45 of 2020 in O.P. No.65 of 2019
M/s. TGV SRAAC Ltd Vs. APTRANSCO, APSPDCL & NREDCAP

Petition under Section 86(1) (f) of the Electricity Act, 2003 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 for adjudication of the disputes between the parties in respect of giving credit of about 73,68,610 units of wind power generated and evacuated into Grid between April, 2016 to July, 2019 in the energy bills of the petitioner

Application filed by Respondent No.3 / APSPDCL under Clause 55 of APERC (Conduct of Business) Regulation No. 2 of 1999 for amendment of counter affidavit

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

Heard both the learned Counsel. Orders are reserved.

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.Deepak Chowdary, Advocate representing 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.

Sri.Deepak Chowdary, Advocate representing Sri K. Gopal Choudary, learned counsel for the petitioner requested time for hearing. Call on 22-12-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 67 of 2021
Maddimadugu Power Pvt Ltd Vs. APSPDCL

Petition u/s 86 (1) (f) of the Electricity Act, 2003 seeking non-payment of agreed tariff payable to the petitioner (Solar Power Developer), as per the Power Purchase Agreement Dt.04-12-2014 with the respondent and unilaterally paying an unviable tariff of 2.44/kwh as against the escalated tariff of Rs.6.356/kwh as on 05-12-2020

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

Sri P. Shiva Rao submitted that the order in the IOC case on which the petitioner has placed strong reliance is questioned in a Writ Petition and that the same is coming up before the Hon'ble High Court of A.P. on 16-12-2021. He submitted that this O.P. may be adjourned by two weeks to enable the respondents to pursue the I.A. in the

said Writ Petition. The O.P. has been adjourned many times. However, we are inclined to adjourn the case on the request of the learned Standing Counsel once again, subject to the observation that the O.P. will not be adjourned further whether interim orders are passed by the Hon'ble High Court or not. Call on 24-11-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR