

Record of Proceedings Dated 12-04-2023

OP No. 10 of 2023

M/s Military Engineer Services (MES) Vs. APTRANSCO & APEPDCL

(Petition filed under Section 2, 14 & 42 of the Electricity Act, 2003 for recognizing Military Engineer Services (MES) as a Deemed Distribution Licensee in the state of Andhra Pradesh as Military Engineer Services (MES) at Ship Building Centre, Visakhapatnam (HT Connection No VSP427) is a department under Ministry of Defence engaged in distribution of electric supply)

Sri C.Sunil Chowdary, IDSE, AEE of Garrison Engineer (I) NYC, Visakhapatnam representing Sri Mitesh Barrkale, EE, MES, Visakhapatnam and Sri P. Shiva Rao, learned standing counsel for the Respondent are present at the hearing.

Sri P.Shiva Rao, learned Standing Counsel for the respondent, requested a short time for instructions and counter, if any.

Call on **26-4-2023**.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 11 of 2023

APSPDCL

(Petition filed u/s 61, 66, 86(1) (e) of the Electricity Act, 2003 read with Regulation No. 1 of 2017 of APERC seeking Renewable Energy Certificates for the Financial Year 2021-22 as per its eligibility.)

Heard Sri P. Shiva Rao, learned standing counsel for the Petitioner.

Orders Reserved.

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 12 of 2023

M./s. Walwhan Renewable Energy Ltd Vs. APSPDCL, APSLDC & APTRANSCO

Petition filed under Section 86(1)(e) read with 86(1)(f) of the Electricity Act, 2003 seeking appropriate directions and orders to be passed qua the Respondent No.1, i.e. APSPDCL and other contesting Respondents to compensate the Petitioner for the actual loss the revenue suffered by the Petitioner on account of frequent and rampant backing down instructions given to the Petitioner on account of the inadequacy of Transmission System and alleged grid safety issues.

Sri Suhael Buttan, counsel representing Sri Shri Venkatesh, learned counsel for the Petitioner and Sri P. Shiva Rao, learned standing counsel for the Respondent are present at the hearing.

Sri P. Shiva Rao, learned standing counsel for the Respondent requested time for filing counter. Four weeks time is, accordingly, granted. The Petitioner is also permitted to file Rejoinder.

Call on **03-05-2023**

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 13 of 2023

M/s Vaayu (India) Power Corporation Pvt. Ltd. Vs. APSPDCL, APTRANSCO & APPCC

(Petition under Section 86(1)(e) and (f) of the Electricity Act, 2003 read with Article 2.2, 5 and 9 of the PPA seeking directions against Respondents for issuance of No Objection Certificate in order to enable the Petitioner to sell the Power through Open Access)

Sri Suhael Buttan, counsel representing Sri Shri Venkatesh, learned counsel for the Petitioner and Sri P. Shiva Rao, learned standing counsel for the Respondent are present at the hearing.

Sri Suhael Buttan, learned counsel for the Petitioner submitted that the issues raised in this OP are identical to that in OP No. 3 of 2023 (M/s Vish Wind Infrastructure LLP Vs. APSPDCL & 2 others) and the said case is coming up for

counter on 26-04-2023. Learned counsel for the Petitioner requested for posting this OP also on the said date. Sri P. Shiva Rao, learned standing counsel for the Respondent submitted that the Respondents will file counter by that time.

Accordingly, Call on **26-04-2023** along with OP No. 3 of 2023

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

**RP No. 8 of 2022 in OP No. 21 of 2015 and OP No. 19 of 2016
M/s.Hinduja National Power Corporation Limited Vs. APEPDCL &
Others**

(Review petition filed under Section 94(1)(f) read with Order 47 Rule 1 of the Code of Civil Procedure, 1908 and Regulation 49 of the Andhra Pradesh Electricity Regulatory Commission Conduct of Business Regulations, 1999 for review of common order dated 01.08.2022 passed in Petition O.P No. 21 of 2015 and O.P No. 19 of 2016.)

Sri P.Ravi Charan, learned counsel for the Petitioner and Sri P. Shiva Rao, learned standing counsel for the Respondent are present at the hearing.

Counter is filed by the respondents. Sri P.Ravi Charan, learned counsel for the Petitioner submitted that Sri M.G.Ramachandran, Learned Senior Counsel for the Petitioner who is instructed to appear for the Petitioner is unable to be present today. He requested an adjournment. As the Review petition pertains to an order passed fixing the tariff after hearing from the general public, we feel it is appropriate to put the Review petition in public domain to enable all the stakeholders to participate in the hearings. Accordingly, the office shall put-up a notice on the Commission's website calling for objections from all the stakeholders.

Call on **03-05-2023**

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 1 of 2022

OP No. 2 of 2022

M/s. Greenko Uravakonda Wind Power Pvt. Ltd., Vs. APSPDCL

M/s Greenko Anantapur Wind Power Pvt. Ltd., Vs. APSPDCL

(Petition under Section 86 (1) (e) & (f) of the Electricity Act, 2003 R/w. Regulation 55 of the APERC Conduct of Business Regulations, 1999 seeking directions to the Respondent among other things for payment of the outstanding dues and Late Payment Interest in terms of the Articles 5.1, 5.2 & 5.3 of the PPA)

Sri. Raghavendra Sudheer, Senior Manager (Legal), representing Sri V.Akshaya Babu, learned counsel for the petitioner submitted that the arguing counsel is not present due to personal inconvenience and requested for adjournment.

Accordingly, **call on 14-06-2023**

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 45 of 2022

Sri Ch.Venugopala Rao Vs. Collector, NTR District, CMD

APTransco & CE APTRANSCO

(Petition filed under Electricity Act, 2003 Andhra Pradesh Works of Licence Rules, 2007, GO Ms.No. 24 dt 27-02-2007 to direct the District Collector, Krishna to enhance the existing compensation

at least to a minimum compensation of Rs.17,58,350/- as per Section 26 of 2013 LARR Act).

Heard Sri P.Chengal Reddy, learned counsel for the Petitioners and Sri P.Shiva Rao, learned Standing Counsel for the respondents.

We are of the opinion that personal inspection of one of our officers of the location is necessary to resolve the dispute in question relating to the exact area of the land affected by the location of 400 KV towers, lines and also the corridor emanating from the towers. Sri D.Ramanaiah Setty, Deputy Director (T&E) shall

inspect the location(s) and submit his report within one month. He shall issue a one week advance notice to the Petitioner to enable him to be present at the location.

The Respondents shall provide all facilities to the inspecting officer including accommodation and local transport and also produce the relevant drawings and records relating to the disputed tower locations at the time of inspection.

Call on 21-06-2023

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 119 of 2021 & IA Nos. 1 & 2 of 2021

OP No. 120 of 2021 & IA Nos. 1 & 2 of 2021

OP No. 121 of 2021 & IA Nos. 1 & 2 of 2021

M/s Ostro Andhra Wind Private Limited Vs. APSLDC & Others

M/s Ostro AP Wind Private Limited Vs. APSLDC & Others

M/s Helios Infratech (P) Ltd., Vs. APSLDC & Others.

(Petition filed under Section 33(4) and Section 39 of the Electricity Act, 2003 read with Section 86(1) (e) and Section 86(1) (f) seeking appropriate direction (s) / Order(s) from this Hon'ble Commission against the statutory authorities namely, APSLDC and the Transmission Corporation of Andhra Pradesh Limited, to address and adjudicate the dispute arising due to non-performance of statutory obligations by the said entities which has severely prejudiced the rights and interest of the Petitioner.

IA No.1 of 2021 - Interlocutory Application seeking Urgent Listing of the Petition under Section 94 (2) of the Electricity Act, 2003 read with applicable regulations issued by this Hon'ble Commission.

IA No. 2 of 2021 - Interlocutory Application seeking Urgent and Interim Directions under Section 94(2) of the Electricity Act, 2003 read with applicable regulations issued by the Hon'ble Commission.)

Ms.Nishtha Kumar, counsel representing Sri Challa Gunaranjan Gunaranjan, learned counsel for the Petitioner and Sri P. Shiva Rao, learned standing counsel for the Respondent are present at the hearing.

OP is disposed of (vide separate order)

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PR

OP No. 43 of 2019

M/s ITC Limited., Vs. APSPDCL, APEPDCL, APPCC & APSLDC

(Petition u/s 86(1)(b) & 86(1)(f) of the Electricity Act, 2003 r/w Regulation 55 of APERC Conduct of Business Regulations, 1999 for the directions to respondents in relation to making payment for the energy injected into the grid owing to unlawful denial of open access in compliance with order dt 13-06-2016 passed by CERC.)

Sri Kaushik Soni, counsel representing Sri P.Vikram, learned counsel for the Petitioner and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

.OP accordingly dismissed.(vide separate order

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR

OP No. 117 of 2021 & IA Nos. 1&2 of 2021

M/s. Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL

OP No. 118 of 2021 & IA Nos. 1&2 of 2021

M/s. Hindupur Solar Park Pvt. Ltd., Vs. APSLDC & SPDCL

(Petition under Section 33 (4) r/w Sections 86 (1) (e), (f) & (k) of the Electricity Act, 2003 questioning the alleged wrongful curtailment of power of the petitioner by APSLDC / Respondent No. 1 and sought appropriate orders inter-alia, against the respondents to not issue curtailment instructions.)

Sri B.V.N. Sai Charan, counsel representing Sri Hemanth Singh, learned counsel for the petitioner, and Sri P. Shiva Rao, learned Standing Counsel for respondents are present at the hearing.

Both the parties represented that FOR guidelines are recently uploaded in its website. They requested further time for filing respective affidavits. Four weeks time is accordingly granted. **Call on 21-06-2023**

Sd/-
Member/TRS

Sd/-
Chairman

Sd/-
Member/PRR