

RECORD OF PROCEEDINGS DATED 13-07-2022

OP No. 43 of 2022

Azure Power Infrastructure Pvt. Ltd., Vs. APSPDCL

Petition under Section 86(1)(0 of the Electricity Act, 2003 read with the relevant provisions of the Power Purchase Agreement dated 05.12.2014 seeking direction to the Respondent for making payment of the arbitrarily and illegally deducted amounts by it from the invoices of the Petitioner for the period from December 2019 to June 2021 on the pretext of alleged installation of additional modules by the Petitioner than allowed under the PPA and also seeking further direction to restrain the Respondent from undertaking any such illegal deduction from the future invoice(s) for the period beyond June 2021.

Ms. Akanksha Tanvi, 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.

Call on 17-8-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

RP No. 5 of 2022 in OP No. 124 of 2021 & IA No.1 of 2022

Shree Jayalakshmi Powercorp Ltd., Vs. APCPDCL

Review Petition filed u/s 94(1)(f) of the electricity Act in OP No. 124 of 2021 seeking review of the Common Retail Supply Tariff Order dated 30-03-2022 passed in OP No. 124 of 2021 and connected cases with respect of levy of grid support charges

Sri K.Gopal Chowdary, learned Senior 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.

Call on 03-8-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 26 of 2022

Parasakti Cement Industries Limited Vs. APSLDC

Petition filed under section 86(1)(e) of the Electricity Act, 2003 R/w Clause 9 of the APERC Renewable Power Purchase Obligation (Compliance by purchase of Renewable Energy / Renewable Energy Certificates) Regulations, 2017 - Regulation 1 of 2017

and

OP No. 36 of 2022

KCP Limited Vs. APSLDC

Petition filed under section 86(1)(e) of the Electricity Act, 2003 R/w Clause 9 of the APERC Renewable Power Purchase Obligation (Compliance by purchase of Renewable Energy / Renewable Energy Certificates) Regulations, 2017 - Regulation 1 of 2017

Both the OPs are allowed (vide separate order)

Sd/-

MEMBER/TRS

Sd/-

CHAIRMAN

Sd/-

MEMBER/PRR

OP No. 32 of 2022 & IA No. 1 of 2022

Brightsolar Renewable Energy Private Limited Vs. APSPDCL, APSLDC & APPCC

"Petition under Sections 86(1)(b) and 86(1)(f) of the Electricity Act, 2003 for adjudication of disputes arising out of the Power Purchase Agreement dated 04.12.2014 between Southern Power Distribution Company of Andhra Pradesh Limited and M/s Brightsolar Renewable Energy Private Limited seeking issuance of appropriate order(s)/ direction(s) from this Hon'ble Commission to direct the Southern Power Distribution Company of Andhra Pradesh Limited to pay the outstanding dues in terms of the invoices raised by the Petitioner herein along with the late payment surcharge and opening of Letter of Credit

Application filed under section 94(2) of the Electricity Act, 2003 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 for interim relief.

Sri Hemanth Sahai, learned Senior 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 a few days back the respondents have paid a sum of Rs.8.00 lakhs from out of the admitted liability; and the balance admitted liability of about Rs.10.00 lakhs will be paid within two months.

In the light of the above submission, call on 12-10-2022 for reporting payment.

Sd/-

MEMBER/TRS

Sd/-

CHAIRMAN

Sd/-

MEMBER/PRR

OP No. 31 of 2022 - Mytrah Vayu (Pennar) Pvt. Ltd., Vs. APSPDCL
OP No. 37 of 2022 - Indian Oil Corporation Ltd., Vs. APSPDCL
OP No. 38 of 2022 - Indian Oil Corporation Ltd., Vs. APSPDCL

Petition filed under Sections 86 (I)(a), 86 (I)(b) and 86 (I)(e) of the Electricity Act, 2003, seeking Approval of Tariff of at least Rs.3.43/- per unit or higher for sale of Wind Power by the Petitioner's 16.8 MW Wind Power Plant to the Respondent herein for the PPA dated 27.04.2012 for the balance tenure from 11th year to operation to 20th year 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 Deepak Chowdary, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioners; and Sri P.Shiva Rao, learned Standing Counsel for the respondent, are present.

Sri Deepak Chowdary submitted that publications have been carried out, but proof could not be filed as yet. He requested time for filing proof of publications.

Call on 03-8-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 42 of 2021
M/s. Compucom Software Ltd. Vs. APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's 0.8 MW wind power plant to the respondent herein for the PPA dt.22-04-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in OP Nos. 6 & 7 of 2009.

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

Sri Deepak Chowdary, learned counsel representing the petitioner, requested time for making submissions by the learned Senior Counsel appearing for the petitioner.

Call on 07-9-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 52 of 2021 - M/s. Vikram Traders Vs. APTRANSCO & APSPDCL
OP No. 53 of 2021 - M/s. S. Kumar Vs. APTRANSCO & APSPDCL
OP No. 54 of 2021 - Siddanga Oil Extractions Pvt Ltd Vs. APTRANSCO & APSPDCL
OP No. 55 of 2021 - M/s. Texmo Precision Casting Vs. APTRANSCO & APSPDCL
OP No. 56 of 2021 - M/s. Arts & Crafts Exports Vs. APTRANSCO & APSPDCL
OP No. 57 of 2021 - M/s. Prakash Beedies Pvt Ltd Vs. APTRANSCO & APSPDCL
OP No. 58 of 2021 - M/s. Texmo Industries Vs. APTRANSCO & APSPDCL
OP No. 61 of 2021 - M/s. Shreem Electric Ltd Vs. APTRANSCO & APSPDCL
OP No. 105 of 2021 - M/s International Conveyors Limited Vs. APTRANSCO & APSPDCL

Petition seeking approval of tariff of at least Rs.3.43/- per unit or higher for sale of wind power by the petitioner's wind power plant to the respondent herein for the PPA dt.18-03-2010 for the balance tenure from 11th year of operation to 20th year in terms of the order dt.01-05-2009 passed by this Commission in OP Nos. 6 & 7 of 2009.

Sri A.P.Reddy, learned counsel for the petitioners; and Sri P.Shiva Rao, learned Standing Counsel for the respondents, are present at the hearing.

Sri A.P.Reddy, learned counsel for the petitioners, requested time for making submissions.

Call on 07-9-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

O.P.No.117 of 2021 and O.P.No.118 of 2021
M/s.Hindupur Solar Park Pvt Ltd Vs. APSLDC & APSPDCL

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

During the hearing, it has come out that in pursuance of the order of the APTEL in Appeal No.197 of 2019 (*National Solar Energy Federation of India Vs. TNERC and others*), the FORUM OF REGULATORS (FOR) is in the process of framing guidelines. As such guidelines will be helpful for proper adjudication of the issues raised in these OPs., we are inclined to adjourn the same to await framing of guidelines by the FOR.

The learned counsel for the petitioner complained that the respondents are still indulging in deliberate curtailment of the power generated by his clients.

Sri P.Shiva Rao, learned Standing Counsel for the respondents, while disputing the said submission, has undertaken that the respondents will not indulge in such curtailment, unless the same is warranted for Grid Security reasons. This submission is placed on record.

Call on 26-10-2022.

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.

Sri N.Jeevan Kumar, learned counsel representing Sri Vikram Poosarla, learned counsel for the petitioner, and Sri P.Shiva Rao, learned Standing Counsel for the respondent are present at the hearing.

Sri N. Jeevan Kumar, requested further time for filing rejoinder.

Call on 07-9-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR

OP No. 63 of 2021

Shri Girija Alloy & Power (I) Pvt Ltd Vs. APEPDCL

Petition filed u/s 86 (1) If of the Electricity Act, 2003 seeking startup power tariff to be in conformity with Clause 17 of Regulation 3 of 2017.

Sri N.Jeevan Kumar, learned counsel representing Sri Vikram Poosarla, learned counsel for the petitioner, and Sri P.Shiva Rao, learned Standing Counsel for the respondent, are present at the hearing.

Rejoinder is filed. At the request of Sri N. Jeevan Kumar, learned counsel representing the petitioner, call on 07-9-2022.

Sd/-
MEMBER/TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER/PRR