

Record of Proceedings dated 15-04-2021

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 Sri M. Venugopala Rao, intervenor are present at the web hearing.

Office has informed that notice has been sent through e-mail. However, the respondent has not entered appearance. Office is directed to send a fresh notice through courier apart from sending a fresh e-mail notice. Sri M. Venugopal Rao, submitted that overwhelming public interest is involved in this dispute and that therefore he may be permitted to intervene. Sri M. Venugopal Rao, is permitted to intervene and file his written submissions. Call on 07-07-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 41 of 2021

M/s. Lanco Kondapalli Power Limited Vs. APSPDCL, APEPDCL, APCPDCL and APPCC

Payment of differential bills amount for the energy supplied by M/s. Lanco Kondapalli Power Limited to SPDCL of AP and EPDCL of AP Ltd

Sri P. Shiva Rao, learned Standing Counsel for the respondents is present at the web hearing.

None appears for the petitioner. At the request of Sri P. Shiva Rao, learned Standing Counsel for the respondents, time for filing counter affidavit is granted. Call on 07-07-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 43 of 2021

M/s. Texmo Industries Vs. APTRANSCO & APSPDCL
Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 20-04-2010 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 44 of 2021

M/s. Texmo Precision Casting Vs. APTRANSCO & APSPDCL
Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 02-08-2010 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 45 of 2021

M/s. Triveni Enterprises Vs. APTRANSCO & APSPDCL
Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 31-03-2011 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 46 of 2021

M/s. Texonic Instruments Vs. APTRANSCO & APSPDCL
Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 16-12-2010 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 47 of 2021

M/s. Vikram Traders Vs. APTRANSCO & APSPDCL
Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 18-03-2010 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 48 of 2021

M/s. Siddanga Oil Extractions Pvt Ltd Vs. APTRANSCO & APSPDCL
Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 22-04-2010 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 49 of 2021

M/s. S. Kumar Vs. APTRANSCO & APSPDCL

Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 23-04-2010 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 50 of 2021

M/s. Prakash Beedies Pvt Ltd APTRANSCO & APSPDC.

Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 20-04-2010 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 51 of 2021

M/s. Arts & Crafts Exports Vs. APTRANSCO & APSPDCL

Petition under Section 86(1)(b), 86 (1) (e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of PPA dated 21-04-2010 and for a direction against the respondents for the payments of the outstanding amounts

OP No. 60 of 2021

M/s. Shreem Electric Ltd Vs. APTRANSCO & APSPDCL

Petition under section 8(1)(b), 86(1)(e) and 86 (1) (f) of the Electricity Act, 2003 for specific performance of the Power Purchase Agreement dated 30-03-2011 and for a direction against the respondents for the payments of the outstanding amounts

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

Sri P. Shiva Rao, learned Standing Counsel for the respondents, takes notice and seeks time for filing counter-affidavits. He also submitted that before the next date of hearing, the admitted dues will be paid to the extent possible. Call on 14-07-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 42 of 2021

M/s. Compucom Software Ltd. Vs. APSPDCL

Petition u/s 86 (1) (a), 86 (1) (b), 86 (1) (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 0.8 MW wind power plant to the respondent herein for the PPA dt.22-04-2010 for the balance tenure from 11th year to 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. N. Phani, Advocate representing Sri. Challa Gunaranjan, 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, takes notice for the respondents and seeks time for filing counter-affidavits. Accordingly, four weeks' time for filing counter-affidavits is granted. Two weeks' time for filing rejoinder is also granted to the petitioners. Call on 07-07-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 52 of 2021 & IA No. 1 of 2021
M/s. Vikram Traders Vs. APTRANSCO & APSPDCL
Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 18-03-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009
Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 53 of 2021 & IA No. 1 of 2021
M/s. S. Kumar Vs. APTRANSCO & APSPDCL
Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 23-04-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009
Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 54 of 2021 & IA No. 1 of 2021
Siddanga Oil Extractions Pvt Ltd Vs. APTRANSCO & APSPDCL
"Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 22-04-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009
Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 55 of 2021 & IA No. 1 of 2021

M/s. Texmo Precision Casting Vs. APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 02-08-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009

"Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 56 of 2021 & IA No. 1 of 2021

M/s. Arts & Crafts Exports Vs. APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 21-04-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 57 of 2021 & IA No. 1 of 2021

M/s. Prakash Beedies Pvt Ltd Vs. APTRANSCO & APSPDCL

"Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 20-04-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 58 of 2021 & IA No. 1 of 2021

M/s. Texmo Industries Vs. APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 20-04-2010 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

OP No. 61 of 2021 & IA No. 1 of 2021

M/s. Shreem Electric Ltd Vs. APTRANSCO & APSPDCL

Petition under Section 86 (1)(a), 86(1)(b) and 86 (1) (e) of the Electricity Act, 2003 for approval of generic tariff at Rs. 3.43/- per unit for sale of wind power to the AP DISCOMs, for PPA dated 30-03-2011 in the State of AP after expiry of the ten year period in terms of the Order dated 01-05-2009 passed by this Hon'ble Commission in OP.Nos. 6 & 7 of 2009

Application seeking direction that the generic tariff of Rs.3.43/- per unit may be made applicable to the applicant / petitioner during the pendency of the present petition

Sri. A. Purushotham Reddy, 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, takes notice for the respondents and seeks time for filing counter-affidavits. Accordingly, four weeks' time for filing counter-affidavits is granted. Two weeks' time further filing rejoinder is also granted to the petitioners. Call on 07-07-2021.

Common Order in I.A.No.1 of 2021 (in all the O.Ps.)

The learned Counsel for the petitioners submitted that the respondents are not issuing invoices for the power being scheduled by the petitioners. Sri P. Shiva Rao, learned Standing Counsel however submitted that the invoices are being issued and as per the interim orders passed in similar cases, interim tariff @ Rs.2.43 will be paid pending disposal of the O.Ps. This submission of Sri P. Shiva Rao, is placed on record and the I.As. accordingly stand disposed of.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR