

Record of Proceedings dated 22-09-2021

O.P.No. 46 of 2020 & IA No. 1 of 2021
APTRANSCO Vs. ---NIL---

Filing of the True-up for the 3rd control period (FY2014-19) for its Transmission Business U/s 26 (5) of the AP Electricity Reform Act, 1998 and under Part VII (Section 61 to 64) of the Electricity Act, 2003 r/w the relevant APERC Guidelines and Regulations till date, by the APTRANSCO as the Transmission Licensee and as SLDC Operator

Sri. G.V. Brahmananda Rao representing Sri P. Shiva Rao, learned Standing Counsel for the Petitioner and Sri. M.Venugopala Rao, learned objector are present at the web hearing.

Supporting material has been filed by the petitioners. Sri G.V. Brahmananda Rao requested for posting of the case for final hearing. Accordingly, call the O.P. on 24-11-201 for hearing.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 15 of 2021
APEPDCL Vs. ---NIL--

Public hearing in the matter of determination of the True up for Retail Supply Business for FY 2019-20 in accordance with the "Andhra Pradesh Electricity Regulatory Commission (Terms And Conditions For Determination Of Tariff For Wheeling And Retail Sale Of Electricity) Regulation No.4 of 2005 and amendments issued from time to time.

OP No. 37 of 2021
APSPDCL Vs. ---NIL---

Public hearing in the matter of determination of the True-up for Retail Supply Business for FY 2019-20 in accordance with the APERC (Terms & Conditions for Determination of Tariff for Wheeling and Retail Sale of Electricity) Regulation No. 4 of 2005 and amendments issued from time to time

Sri. G.V. Brahmananda Rao representing Sri P. Shiva Rao, learned Standing Counsel for the Petitioner; Sri. M. Venugopala Rao; Sri Vijaya Gopal Reddy on behalf of AP Ferro Alloys Producers' Association and Sri. R. Shiva Kumar, objectors are present at the web hearing.

Sri M. Venugopal Rao, learned Objector has submitted that he has received the required papers yesterday from the petitioners and that he will study the same and file his response. Sri Vijaya Gopal Reddy, learned Objector requested for permission to file his objections and participate in the hearing. His request is accepted. The further objections and responses, if any, shall be filed within four weeks from today after serving the same on the other side. Call on 24-11-2021 for hearing.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

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

Sri. Anand K Ganesan, counsel for the petitioner and Sri. G.V. Brahmananda Rao representing Sri P. Shiva Rao, learned Standing counsel for the Respondent are present at the web hearing.

At the request of Sri. G.V. Brahmananda Rao, four weeks' time for filing counter is granted. Call on 10-11-2021.

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. Suhael Buttan, counsel for the petitioner and Sri. G.V. Brahmananda Rao representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Rejoinder has been filed. Call on 10-11-2021 for hearing.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

RP No. 3 of 2021 in OP No. 33 of 2019 & OP No. 35 of 2018 (PART)
APGENCO Vs.APSPDCL & APEPDCL

Petition u/s 94 of the Electricity Act, 2003 r/w Regulation 49 (1) of the APERC
(Conduct of Business) Regulation 1999 seeking review of APERC order dt.
31-12-2020 in OP No. 33 of 2019 & OP No. 35 of 2018 (PART)

Counsel for the petitioner representing Sri. O. Manohar Reddy, Advocate and Sri. G.V. Brahmananda Rao representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Further time for filing rejoinder is sought. Call on 27-10-2021.

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. G.V. Brahmananda representing Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Ms. Amrita Aryendra, Counsel for the respondents are present at the web hearing.

Further time for filing rejoinder is sought. Time is granted finally. Call on 10-11-2021.

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. Suhae Buttanl, counsel for the petitioner and Sri. G.V. Brahmananda Rao, representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Rejoinder and additional affidavits have been filed. As this case requires in-depth hearing, call on 17-11-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

IA No. 49 of 2020 in O.P.No. 37 of 2019
Sri. Ch. Chandramouli & Sri Ch. Venugopal Rao Vs Sri. A. Md.Imtiaz IAS Collector & District Magistrate, Krishna District

Sri. P. Chengal Reddy, counsel for the petitioner and DRO, Krishna District, are present at the web hearing.

OP is disposed of (vide separate order)

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 Alladi Ravinder, counsel for the petitioner and Sri. G.V. Brahmananda Rao representing Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

At the request of Sri Alladi Ravinder, call on 10-11-2021 for hearing.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

IA No. 1 of 2021 in OP No. 21 of 2019
M/s. RCI Power Limited Vs. APSPCL

Application under Section 142 of the EAct, 2003 read with Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 as amended on behalf of petitioner seeking appropriate order against the respondent for Non-compliance of the order dated 11-09-2019 passed by this Hon'ble Commission in OP.No. 21 of 2019

Anand K Ganesan, counsel for the petitioner and Sri. G.V. Brahmananda Rao representing Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

This Application is filed for punishing the respondent for violation of the order dated 19-11-2019.

In pursuance of the direction issued by this Commission, Sri Harinath Rao, CMD of the respondent is personally present. He has submitted that as the respondent was pursuing the Appeal before the Hon'ble APTEL and hoping to secure an interim order, they could not comply with the order of this Commission. He further submitted that the respondent is not in a proper financial condition and that therefore

while it has no intention of wilfully violating the order of this Commission, it is the sheer inability to comply with the order that was the reason for non-compliance. He however requested for permitting the respondent to pay the arrears till the end of September 2021 in six equal monthly instalments.

Sri Anand K Ganesan, learned Counsel for the petitioner, has gracefully not opposed this request.

Accordingly, the respondent is directed to comply with the order dated 11-09-2019 by paying the difference of tariff in six equal monthly instalments, commencing from 01-10-2021. In the event of default by the respondent, the petitioner shall be free to seek restoration of this Application. It is however made clear that the compliance of order by the respondent shall be subject to the result of the Appeal filed before the Hon'ble APTEL. The I.A. is accordingly closed.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

IA No. 1 of 2021 in OP No. 28 of 2019
M/s. Bharat Wind Farm Limited Vs. APSPDCL

Application under Section 142 of the EAct, 2003 read with Regulation 55 of the APERC (CONduct of Business) Regulations, 1999 as amended on behalf of petitioner seeking appropriate order against the respondent for Non-compliance of the order dated 11-09-2019 passed by this Hon'ble Commission in OP.No. 28 of 2019

Anand K Ganesan, counsel for the petitioner and Sri. G.V. Brahmananda Rao representing Sri P. Shiva Rao, learned Standing Counsel for the respondent are present at the web hearing.

This Application is filed for punishing the respondent for violation of the order dated 19-11-2019.

In pursuance of the direction issued by this Commission, Sri Harinath Rao, CMD of the respondent is personally present. He has submitted that as the respondent was pursuing the Appeal before the Hon'ble APTEL and hoping to secure an interim order, they could not comply with the order of this Commission. He further submitted that the respondent is not in a proper financial condition and that therefore while it has no intention of wilfully violating the order of this Commission, it is the

sheer inability to comply with the order that was the reason for non-compliance. He however requested for permitting the respondent to pay the arrears till the end of September 2021 in six equal monthly instalments.

Sri Anand K Ganesan, learned Counsel for the petitioner, has gracefully not opposed this request.

Accordingly, the respondent is directed to comply with the order dated 11-09-2019 by paying the difference of tariff in six equal monthly instalments, commencing from 01-10-2021. In the event of default by the respondent, the petitioner shall be free to seek restoration of this Application. It is however made clear that the compliance of order by the respondent shall be subject to the result of the Appeal filed before the Hon'ble APTEL. The I.A. is accordingly closed.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR