

Record of Proceedings dated 22-12-2021

O.P.No. 49 of 2020
M/s. Vish Wind Infrastruktire LLP

Petition for approval of the generic tariff at Rs.3.43/- per unit for sale of wind power by the Petitioner to DISCOM for all the Seven PPAs, after expiry of the 10 year period 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. Vishal Gupta, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the DISCOMs are present at the web hearing.

Sri Vishal Gupta, requested some more time for filing proof of publication. The request is accepted. Call on 09-03-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 106 of 2021
APEPDCL

Petition filed under section 86(1)(b) and section 62 of Electricity Act 2003 read with regulation 8 of APERC (Conduct of Business) Regulations, 1999 for computation of Pooled cost of power Purchase for the year 2017-18 to be considered for the year 2018-19

OP No. 107 of 2021
APEPDCL

Petition filed under section 86(1)(b) and section 62 of Electricity Act 2003 read with regulation 8 of APERC (Conduct of Business) Regulations, 1999 for computation of Pooled cost of power Purchase for the year 2018-19 to be considered for the year 2019-20

OP No. 108 of 2021
APEPDCL

Petition filed under section 86(1)(b) and section 62 of Electricity Act 2003 read with regulation 8 of APERC (Conduct of Business) Regulations, 1999 for computation of Pooled cost of power Purchase for the year 2019-20 to be considered for the year 2020-21

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

Despite the notices published on the website of the Commission, no objections have been received so far. For giving one more opportunity for filing objections, the OPs are adjourned. Office to put up fresh notice in the website. Call on 02-02-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 109 of 2021
APSPDCL

Petition filed under section 86(1)(b) and section 62 of Electricity Act 2003 read with regulation 8 of APERC (Conduct of Business) Regulations, 1999 for computation of Pooled cost of power Purchase for the year 2017-18 to be considered for the year 2018-19

OP No. 110 of 2021
APSPDCL

Petition filed under section 86(1)(b) and section 62 of Electricity Act 2003 read with regulation 8 of APERC (Conduct of Business) Regulations, 1999 for computation of Pooled cost of power Purchase for the year 2018-19 to be considered for the year 2019-20

OP No. 111 of 2021
APSPDCL

Petition filed under section 86(1)(b) and section 62 of Electricity Act 2003 read with regulation 8 of APERC (Conduct of Business) Regulations, 1999 for computation of Pooled cost of power Purchase for the year 2019-20 to be considered for the year 2020-21

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

Despite the notices published on the website of the Commission, no objections have been received so far. For giving one more opportunity for filing objections, the OPs are adjourned. Office to put up fresh notice in the website. Call on 02-02-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

RP No. 5 of 20221 in OP No.73 of 2019
APSPDCL Vs. 1. Aditya Birla Renewables SPV 1 Ltd.,
2. APTRANCO

Review Petition filed by APSPDCL under Section 94 of the Electricity Act r/w Clause
49 of APERC (Conduct of Business) Regulations.

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

Review Petition is dismissed. (vide separate order)

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 117 of 2021
Hindupur Solar Park Pvt. Ltd. Vs. APSLDC & SPDCL

OP No. 118 of 2021
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.Hemant Singh, 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 requested for time for filing counter. Call on 23-02-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

OP No. 119 of 2021 & IA Nos. 1 & 2 of 2021
M/s Ostro Andhra Wind Private Limited Vs. APSLDC & Others

Petition 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.

OP No. 120 of 2021 & IA Nos. 1 & 2 of 2021
M/s Ostro AP Wind Private Limited Vs. APSLDC & Others

Petition 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.

OP No. 121 of 2021 & IA Nos. 1 & 2 of 2021
M/s Helios Infratech (P) Ltd. Vs. APSLDC & Others

Petition 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.

Sri D. Prakash Reddy, Senior 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 requested time for filing counter. Call on 23-02-2022.

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

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

Ms. Harini Subramanian, submitted that they could not serve the rejoinder on the other side. She requested time for service of the rejoinder. Call on 19-01-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.14 of 2020
M/s. Vish Wind Infrastructure LLP Vs APTRANSCO & 2 others

Petition filed under Section 86 (1)(b), 86(1)(e) and 86(1)(f) of the Electricity Act, 2003, for specific performance of the three Power Purchase Agreements dated 11-10-2012 and for a direction against the Respondents for payments of the outstanding amounts

O.P.No.15 of 2020
M/s. Vish Wind Infrastructure LLP Vs APTRANSCO & 2 others

Petition filed under Section 86 (1)(b), 86(1)(e) and 86(1)(f) of the Electricity Act, 2003, for specific performance of the Power Purchase Agreements dated 30-10-2010 & 17-12-2011 and for a direction against the Respondents for payments of the outstanding amounts

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

GM of APCPDCL filed affidavits stating that the admitted dues of Rs.17,97,79,557/- and Rs.5,57,88,616/- respectively were paid even before the previous date of hearing and that due to some communication gap the same could not be brought to the notice

of the Commission. Sri Vishal Gupta while admitting certain payments, however requested time for confirmation whether the entire due amounts were paid by the respondents. Call on 02-02-2022.

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.

In spite of the undertaking given by Sri P. Shiva Rao that payments will be made without contesting the Petition, counsel for the petitioner submitted that the respondents have not made payments. We consider this as a highly undesirable attitude on the part of the respondents. However, in order to give a last chance, we adjourn the case with the hope that the respondents will take corrective steps to pay the amounts due to the petitioner before the next date of hearing, failing which the Commission will be left with no option other than initiating prosecution against the heads of the respondents who are liable to pay the amount. Call on 02-02-2022. Office shall communicate this order to all the CMDs.

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

Sr.i P. Shiva Rao, learned Standing Counsel for the petitioners and Sri. Rusheek Reddy, counsel for the respondents are present at the web hearing.

Sri Rusheek Reddy, requested an adjournment on the ground that the arguing counsel could not appear today. Call on 05-01-2022.

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 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.

We have heard Sri K. Gopal Choudary at length. Sri P. Shiva Rao requested an adjournment for advancing his submissions. Call on 05-01-2022.

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

Due to paucity of time, the Commission is unable to hear this O.P. today. At the request of Sri Basava Prabhu Patil, call on 05-01-2022. Meanwhile, the respondents shall make payment of at least the admitted tariff of Rs.2.43 ps per unit.

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 Sanjeevia Thermal Power Station (SDSTPS)

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.

Due to paucity of time, the case could not be taken up for hearing today. Call on 23-02-2022.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR