

Record of Proceedings dated 23-12-2020

O.P.No.46 of 2020

APTRANSCO Vs --

Filing of the Ture-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 P. Shiva Rao, learned Standing Counsel for the petitioner and Sri M. Venugopala Rao, learned objector are present at the web hearing.

Sri M. Venugopala Rao, learned objector pointed out and in our view rightly that AP Discoms are necessary and proper parties to this petition, as they are required to bear additional liability, if any, payable under true-up order. Sri P. Shiva Rao agreed to implead all the three Discoms as respondents. He shall do the needful within two weeks. On such impleadment, the Discoms shall be served with notices by the Commission. Call on 24-03-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.N.47 of 2020

APTRANSCO Vs --

Petition for determination of Tariff for Intra-State transmission lines of APTRANSCO carrying interstate power for the FY 2020-21 to include the same in the PoC Mechanism

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

No objections have been received so far. Put up along with O.P.No.46 of 2020.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.46 of 2020 & I.A.No.47 of 2020 in O.P.No.48 of 2020
Guttaseema Wind Energy Company Pvt Ltd Vs APSPDCL
Petition filed u/s 61 (h), 86 (1) (e) & 86 (1) (f) of the Electricity Act, 2003 r/w
Regulation 55 of the APERC (Conduct of Business) Regulations, 1999 seeking
directions to the Respondent

I.A.No.46 of 2020 - Application filed u/s 94 (2) of the Electricity Act, 2003 seeking to
suspend the notice bearing Lr. No.APSPDCL /TPT /CGM/ IPC /GM /IPC /EE /F.456
/D.No.86420 Dt.01-07-2020

I.A.No.47 of 2020 - Application filed u/s 94 (2) of the Electricity Act, 2003 seeking
directions to the Respondent to provide the synchronization approval to the petitioner
for commissioning 20 MW wind power project (which has been ready for
commissioning since June 2019)

Sri S. Ravi, learned senior counsel for the petitioner and Sri P. Shiva Rao, learned
Standing Counsel for the respondent are present at the web hearing.

Sri P. Shiva Rao requested for time for filing counter affidavit. Two weeks' time is
accordingly granted for the said purpose. For hearing I.A.No.46 of 2020, call on
24-02-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.No.48 of 2020 in O.P.No.49 of 2020
M/s. Vish Wind Infrastructure LLP Vs --
Petition under the Sections 86(1)(a), 86(1)(b) and 86(1)(e) of the Electricity Act,
2003, 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

I.A.No.48 of 2020 - Application seeking direction that the tariff of Rs.3.43/- per unit
may be continued to be applicable to the petitioner during the pendency of the
present petition

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

I.A.No.48 of 2020:

This application is filed for the following reliefs:

- “a) the generic tariff of Rs.3.43/- per unit may be continued to be applicable to the Applicant’s / Petitioner’s Power Purchase Agreements, as and when the validity of their tariff expires, during the pendency of the present Petition; and
- b) pass such and further order(s) as this Hon’ble Commission may deem fit and proper in the interest of justice and equity.”

At the hearing, Sri Vishal Gupta, learned counsel for the petitioner submitted that this Commission in I.A.No.20 of 2020 in O.P.No.29 of 2020 passed an order on 26-08-2020 and disposed of the said I.A. The order in the said I.A. reads as under:

“Sri Sajan Poovayya submitted that as the period of ten years for which tariff was fixed expired on 02-08-2020, he requested for an interim rate to be fixed for the power supplied subsequent thereto pending the O.P. Sri P. Shiva Rao submitted that as the AP Discoms are taking the consistent stand that the tariff is required to be reduced in view of the reduced level of tariffs prevailing countrywide and also taking into consideration the fact that in cases where Power Purchase Agreements are under dispute, the Hon’ble High Court of AP has fixed interim payment of Rs.2.43 ps, the same rate may be fixed in the present case also as an interim measure. Having regard to the respective submissions of the learned counsel for the parties, we deem it appropriate to

fix an interim rate of Rs.2.43 ps per unit payable by the AP Discoms to the petitioner for the power received after 02-08-2020 pending the O.P. I.A.No.20 of 2020 accordingly stands disposed of”.

Sri Vishal Gupta submitted that as the applicant is similarly situated to the applicant in I.A.No.20 of 2020 in O.P.No.29 of 2020, this Commission may pass the same order as passed in the said I.A. Sri P. Shiva Rao, learned Standing Counsel submitted that he has no objection for passing such an order. Accordingly, this I.A. is disposed of in terms of the order in I.A.No.20 of 2020 in O.P.No.29 of 2020 with the direction that the said order shall form part of this order. I.A. is accordingly disposed of.

O.P.No.49 of 2020

Sri P. Shiva Rao, learned Standing Counsel for the respondent requested for time for filing counter-affidavit. Time is accordingly granted. Post along with O.P.No.29 of 2020 on 27-01-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.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
Petition filed u/s 142 & 146 of the Electricity Act, 2003

Sri P. Chengal Reddy, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the AP Discoms are present at the web hearing.

Notice to the respondent - Collector & District Magistrate, Krishna District. Call on 24-03-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

Revision Petition No.1 of 2020

Sri. R. Ramanamurthy Naidu Vs Collector & District Magistrate, Nellore
CMD / APTRANSCO

Petition filed under Rule 3 (5) & 13 (2) where any difference and/or dispute arises as to the amount of compensation determined under sub-rule (1) the matter shall be determined by the Commission.

Sri P. Chengal Reddy, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the AP Discoms are present at the web hearing.

Sri P. Shiva Rao, learned Standing Counsel takes notice for respondent No.2 / APTranco and seeks time for filing counter. Call on 28-04-2021.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.37 of 2020

M/s. Indian Railways Vs APTRANSCO, APSPDCL & APEPDCL
Petition filed u/s 86 (1) (k) of the Electricity Act, 2003 and Regulation 24 of APERC (Terms & Conditions of Open Access) Regulation, 2005 r/w Regulation 9 of the APERC (Conduct of Business) Regulations, 1999 seeking directions to the APTRANSCO / DISCOMs regarding facilitation and issuance of No-objection Certificate to South Central Railway for availing power through Open Access as a Deemed Distribution Licensee in the State of AP.

Sri Pulkit Agarwal, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present at the web hearing.

Orders pronounced (vide separate order)

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

I.A.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 P. Sri Raghuram, learned senior counsel & Sri Alladi Ravinder, learned counsel
for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the AP
Discoms are present at the web hearing.

After commencement of the hearing of the case, it has been noticed that running
pagination is not done. Sri Alladi Ravinder, learned counsel requested for an
adjournment for filing fresh sets of paper books. On such filing, the office shall verify
and receive the same. Call on 07-04-2021 finally.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR