

Record of Proceedings dated 26-03-2021

O.P.No.9 of 2020 IA No.10 of 2020; IA No.11 of 2020 IA No. 38 of 2020 IA No. 41 of 2020 IA No. 1 of 2021

M/s.Vibrant Greentech India Pvt Ltd., Vs APSPDCL & 2 others

Petition U/Sec. 86(1)(b) r/w 86 (1) (f) of the Electricity Act, 2003 R/w APERC (Conduct of Business) Regulations, 1999 to direct the APSPDCL to act upon the PPA dt.30-03-2017 entered into with the petitioner for purchase of power from its 4.25 MW wind power project and to direct to pay for the power generated and supplied from the petitioner's project, for the period from the date of COD i.e., 30-03-2017 onwards along with interest and to direct APSPDCL to open irrevocable revolving letter of credit as per Article 5.4 of PPA dated 30-03-2017

IA No.10 of 2020 - Application filed under Section 94(2) r/w 86(1) (b) and 86(1) (f) of the Electricity Act, 2003 read with APERC (Conduct of Business) Regulations, 1999 seeking directions to APSPDCL to make payment for the power supplied by the petitioner's 4.25 MW Wind Power Project (WPP) during the pendency of O.P.NO.9 of 2020 at an appropriate interim tariff.

IA No.11 of 2020 - Application filed under Section 94(2) r/w 86(1) (b) and 86(1) (f) of the Electricity Act, 2003 read with APERC (Conduct of Business) Regulations, 1999 seeking directions to the respondents to reconnect the petitioner's 4.25 MW WPP and to account the energy exported from the petitioner's project.

IA No.38 of 2020 - Application filed by the Respondent No.1 / APSPDCL in OP No.9 of 2020 Under Clause 16(3) R/w Clause 55 of APERC (Conduct of Business) Regulation 2 of 1999 for submitting additional Documents

IA No.41 of 2020 - Application filed by the petitioner under Clause 16 r/w Clause 55 of APERC (Conduct of Business) Regulation 2 of 1999 to receive the additional documents on behalf of the petitioner

IA No.1 of 2021 - Application filed by the petitioner under Regulation 55 of APERC (Conduct of Business) Regulation 2 of 1999 to take on record additional pleadings and prayers.

O.P.No.20 of 2020 & IA.No.1 of 2021

M/s. Chaitanya Projects Vs APSPDCL & 2 others

Petition filed u/s 86 (1) (b) r/w 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 seeking directions to the Respondent No.1 to act upon the PPA dt.30-03-2017 entered into with the petitioner for purchase of power from its 0.8 MW Wind Power Project and to direct to pay for the power generated and supplied from the petitioner's project for the period from the date of the commissioning i.e., 29-03-2017 onwards along with interest and to direct the APSPDCL to open irrevocable revolving letter of credit as per Article 5.4 of PPA dt.30-03-2017.

IA.No.1 of 2021 - Application filed by the petitioner Petition filed u/s 86 (1) (b) r/w 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulation 1999 seeking directions to the Respondent No.1 to act upon the PPA dt.30-03-2017

entered into with the petitioner for purchase of power from its 0.8 MW Wind Power Project and to direct to pay for the power generated and supplied from the petitioner's project for the period from the date of the commissioning i.e., 29-03-2017 onwards along with interest and to direct the APSPDCL to open irrevocable revolving letter of credit as per Article 5.4 of PPA dt.30-03-2017 seeking an amendment to the prayer made therein.

We have heard Sri P. Sriraghuram, learned senior counsel appearing in O.P.No.20 of 2020, Sri Challa Gunaranjan, learned counsel appearing in O.P.No.9 of 2020 and Sri P. Shiva Rao, learned Standing Counsel for the respondents in the O.Ps. Sri P. Shiva Rao has undertaken to file an additional affidavit on the action initiated against the officials for taking meter readings unauthorisedly, within one week. In the affidavit, the respondents shall explain the procedure for taking meter readings and the officers who are authorised to take such meter readings. Orders reserved.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR

O.P.No.64 of 2019

M/s. Indian Oil Corporation Limited Vs APSPDCL & APTRANSCO
Petition under Section 86(1) (f) of the Electricity Act, 2003 read with APERC (Conduct of Business) Regulations, 1999 seeking directions to the respondents for releasing payment against the outstanding monthly invoices towards sale of wind energy along with the interest / delayed payment surcharge on such delayed payments, payments of amounts deducted towards 1% rebate from monthly invoices and interest on delayed payment as per Articles 2.2 and 5.2 of the Power Purchase Agreements dated 08-05-2012, 31-03-2012, 21-03-2013 and 18-07-2014

Heard Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents. Learned counsel for the petitioner fairly conceded that the claims made for the period prior to September, 2016 may be rejected as barred by law of limitation, while allowing the claims made for the period thereafter. Orders reserved.

Sd/-
MEMBER / TRS

Sd/-
CHAIRMAN

Sd/-
MEMBER / PRR