

**Record of proceedings dated 30-06-2018**

I.A.No.16 of 2018 & I.A.No.18 of 2018 in O.P.No.8 of 2018  
APSPDCL & APEPDCL Vs M/s. Lanco Kondapalli Power Ltd

Public hearing in Petition filed u/s 86 (1) (b) of the Electricity Act, 2003 seeking  
renewal of PPA with M/s. Lanco Kondapalli Power Ltd.

I.A. No. 16 of 2018 filed u/s 62 (1), 86 (1) (b) of the Electricity Act, 2003 r/w Clause  
55 of APERC (Conduct of Business) Regulations seeking permission to procure  
power from M/s. Lanco Kondapalli Power Ltd and approval of interim tariff for the first  
quarter of FY 19

I.A. No. 18 of 2018 - M/s. GMR Vemagiri Power Generation Ltd (GVPGL) filed  
Intervention cum Objection Petition in O.P. No. 8 of 2018

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri Challa  
Gunaranjan, learned counsel for the respondent, Ms. Gorantla Pujitha, learned  
counsel for Intervention Petitioner, Sri M. Venugopala Rao, Sri Ch. Narasinga Rao,  
Sri S. Pratap and Dr. S. Chandra Mouli, learned objectors are present.

Counter has been filed in I.A.No.18 of 2018 by the 1<sup>st</sup> respondent. Intervening  
petitioner sought for time for filing their rejoinder to the counter. Hence, for rejoinder  
in I.A.No.18 of 2018 and for hearing, the matter is posted to 07-07-2018.

Call on: 07-07-2018  
at 11:00 AM

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Public hearing in the matter of allocating inflated demand by the Andhra Pradesh  
Gas Power Corporation Ltd (APGPCL) to its shareholders.

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Ms. Rashmi G Kamath,  
learned counsel for APGPCL, Sri Challa Gunaranjan, learned counsel for (i) Super

Spinning Mills Limited (ii) Sri Satyanarayana Spinning Mills Limited (iii) Sree Akkamamba Textiles Limited & (iv) India Cements Limited; Sri K. Gopal Choudary, learned counsel for (i) International Paper APPM Limited (ii) The Andhra Sugars Limited (iii) The Andhra Petrochemicals Limited (iv) Hindustan Zinc Limited (Vedanta) (v) Precot Meridian Limited (vi) LG Polymers India Private Limited and (vii) Sri Dhanalakshmi Cotton & Rice Mills Private Limited and Sri M. Venugopala Rao, learned objectors are present.

At request due to personal inconvenience of the learned Senior Counsel representing APGPCL, the matter is posted to 28-07-2018.

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at 11:00 AM

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O.P.No.47 of 2017 & I.A. No. 28 of 2017  
A.P. Power Development Company Ltd (APPDCL) Vs APSPDCL & APEPDCL

Public hearing in the matter of determination of tariff for supply of electricity generated at the Sri Damodaram Sanjeevaiah Thermal Power Station (SDSTPS) (2 x 800 MW) to the APDISCOMs from 05-02-2015 for the rest of the control period of 2014-19 of 2 x 800 MW

Application filed u/s 94 (2) of the Electricity Act, 2003 praying the Commission to pass interim orders directing the respondents to pay an interim tariff of Rs4.04 per kWh for the energy supplied by it to the respondents during FY 2017-18, pending disposal of the main petition in O.P.No.47 of 2017.

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents, Sri M. Venugopala Rao and Sri Ch. Narasinga Rao, learned objectors are present.

It is requested on behalf of the applicants that preliminary examination of the issues involved on the pleadings and the data available on record may be made by the technical personnel of the Commission before hearing formally the parties and the objectors. Hence, office of the Commission may make a preliminary examination on the issues involved and arrive at their tentative suggestions on the approach to the issues involved in the matter and place before the Commission before the next date of hearing. Hence, the matter is posted to 21-07-2018.

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at 11:00 AM

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I.A.No.15 of 2018 in O.P.Nos.60 & 61 of 2017

APSPDCL & APEPDCL Vs M/s. Spectrum Power Generation Ltd

Public hearing in Petition filed u/s 62 (1), 86 (1) (b) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations seeking permission to procure power from Spectrum Power Generation Ltd and approval of interim tariff for the first quarter of FY 19

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri T. Uma Shankar, learned counsel for M/s. Spectrum Power Generation Limited, Sri M. Venugopala Rao, Sri Ch. Narasinga Rao, Dr. S. Chandra Mouli, President, APSEB Engineers' Association and Sri S. Prathap, Technical Secretary representing APSEB Assistant Engineers' Association, learned objectors are present.

APSPDCL filed their replies to the additional objections. For hearing, the matter is posted to 07-07-2018.

Call on:

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at 11:00 AM

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Public hearing on Load Forecasts, Resource Plans, Investment Plans and State Electricity Plan

Sri P. Shiva Rao, learned Standing Counsel for the utilities, Sri K. Gopal Choudary, learned *Amicus Curiae*, Sri M. Venugopala Rao and Sri Ch. Narasinga Rao, learned objectors are present.

Sri P. Shiva Rao, learned Standing Counsel for the utilities stated that the petitioners would like to make a Power Point presentation of the plans they submitted and requested for short time. Hence, the matter is posted to 07-07-2018.

Call on:

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at 11:00 AM

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I.A.No.14 of 2018 in O.P.Nos.60 & 61 of 2017  
APSPDCL & APEPDCL Vs ---

Public hearing in Petition filed u/s 62 (1), 86 (1) (b) of the Electricity Act, 2003 r/w Clause 55 of APERC (Conduct of Business) Regulations seeking permission to procure power from Godavari Gas Power Plant (formerly owned by M/s. GVK till expiry of PPA, now owned by APDISCOMs) and approval of interim tariff for the first quarter of FY 19

Sri P. Shiva Rao, learned Standing Counsel for the petitioners, Sri M. Venugopala Rao and Sri Ch. Narasinga Rao, learned objectors are present.

Orders pronounced (*vide separate order*)

“12. Therefore, the applicants are permitted to procure power from Godavari Gas Power Plant at a fixed cost of Rs.0.79 ps and variable cost of Rs.2.20 ps, making a total of Rs.2.99 ps per unit during the first quarter of FY 2018-19 and the Interlocutory Application is allowed accordingly. No costs.”

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I.A.No.5 of 2017 in O.P.No.28 of 2016  
APSPDCL Vs ---

Public hearing in the matter of approval for additional surcharge from Open Access consumers during FY 2017-18 under Section 42 (4) of the Electricity Act, 2003

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri Challa Gunaranjan, learned counsel for (i) The India Cements Limited (ii) Ravali Spinners Private Limited (iii) M/s. Parasakthi Cement Industries Limited (iv) M/s. KCP Cement & Sugar Industries Limited (v) M/s. GREENCO (vi) Reddy Laboratories & (vii) Mylan Laboratories, Sri R. Shiva Kumar representing A.P. Spinning Mills Association, Sri K. Gopal Choudary, learned counsel for (i) ITC Limited & (ii) Small Hydro Power Developers Association, Sri Alladi Ravinder, learned counsel for M/s. Sree Rayalaseema Alkalies and Allied Chemicals Limited, Sri N. Aditya, Manager, Indian Energy Exchange (IEX) and Sri Ashwin Ramanathan, learned counsel for Indian Energy Exchange (IEX) are present.

Heard Sri Challa Gunaranjan, Sri R. Shiva Kumar, Sri K. Gopal Choudary, Sri Alladi Ravinder and Sri Ashwin Ramanathan. Additional submissions of A.P. Spinning Mills Limited and Indian Energy Exchange (IEX) are filed. Orders reserved.

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I.A.No. 6 of 2017 in O.P.No. 29 of 2016  
APEPDCL Vs ---

Public hearing in the matter of approval for additional surcharge from Open Access consumers during FY 2017-18 under Section 42 (4) of the Electricity Act, 2003

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri Challa Gunaranjan, learned counsel for (i) The India Cements Limited (ii) Ravali Spinners Private Limited (iii) M/s. Parasakthi Cement Industries Limited (iv) M/s. KCP Cement

& Sugar Industries Limited (v) M/s. GREENCO (vi) Reddy Laboratories & (vii) Mylan Laboratories, Sri R. Shiva Kumar representing A.P. Spinning Mills Association, Sri K. Gopal Choudary, learned counsel for (i) ITC Limited & (ii) Small Hydro Power Developers Association, Sri Alladi Ravinder, learned counsel for M/s. Sree Rayalaseema Alkalies and Allied Chemicals Limited, Sri N. Aditya, Manager, Indian Energy Exchange (IEX) and Sri Ashwin Ramanathan, learned counsel for Indian Energy Exchange (IEX) are present.

Heard Sri Challa Gunaranjan, Sri R. Shiva Kumar, Sri K. Gopal Choudary, Sri Alladi Ravinder and Sri Ashwin Ramanathan. Additional submissions of A.P. Spinning Mills Limited and Indian Energy Exchange (IEX) are filed. Orders reserved.

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RP No. 1 / 2010 in O.P. Nos. 17 to 20 / 2008  
M/s. RPP Ltd Vs DISCOMs

Petition for reviewing the tariff order dated 20.03.2009 in O.P. Nos. 17 to 20 of 2008 in respect of wheeling tariff for FY 2009-10 to 2013-14 and RST for FY 2009-10.

Sri K Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The question of jurisdiction is still under consideration of the Hon'ble High Court. Hence, the matter is posted to 29-09-2018.

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RP No. 2 / 2010 in O.P. No. 21 / 2008

M/s. RPP Ltd Vs APTRANSCO

Petition for review of tariff order dated 20.03.2009 in O.P. No.21 of 2008 in respect of transmission tariff for FY 2009-10 to 2013-14.

Sri K Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondent are present.

The question of jurisdiction is still under consideration of the Hon'ble High Court.

Hence, the matter is posted to 29-09-2018.

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RP No. 3 / 2010 in O.P. Nos. 17 to 20 / 2008

KCP & 2 others Vs APPCC, APTRANSCO & DISCOMs

Petition for reviewing the tariff order dated 20.03.2009 in O.P. Nos. 17 to 20 of 2008 in respect of wheeling tariff for FY 2009-10 to 2013-14 and RST for FY 2009-10.

Sri Challa Gunaranjan, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The question of jurisdiction is still under consideration of the Hon'ble High Court.

Hence, the matter is posted to 29-09-2018.

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RP No. 4 / 2010 in O.P. No. 21 / 2008

KCP & 2 others Vs APPCC, APTRANSCO & DISCOMs

Petition for review of tariff order dated 20.03.2009 in O.P. Nos. 17 to 20 of 2009 in respect of transmission tariff for FY 2009-10 to 2013-14.

Sri Challa Gunaranjan, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The question of jurisdiction is still under consideration of the Hon'ble High Court.

Hence, the matter is posted to 29-09-2018.

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RP No. 5 / 2010 in OP Nos. 17 to 20 / 2008

Small Hydro Power Developers Association & 16 others Vs DISCOMs

Petition for reviewing the tariff order dated 20.03.2009 in O.P. Nos. 17 to 20 of 2008 in respect of wheeling tariff for FY 2009-10 to 2013-14 and RST for FY 2009-10.

Sri K Gopal Choudary, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The question of jurisdiction is still under consideration of the Hon'ble High Court.

Hence, the matter is posted to 29-09-2018.

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OP No. 16 of 2010 & IA No. 7 of 2011

Tata Trading Company Vs DISCOMs & APTRANSCO

Petition against the illegal, unilateral and wrongful deductions towards illegal compensation claim for supply of short term power

Interlocutory petition filed by the petitioner in the OP seeking interim orders for release of the amounts on production of bank guarantee pending disposal of the main O.P. i.e., O.P. No. 16 of 2010

Sri K. Jashwanth Rao, learned counsel representing Sri Avinash Desai, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

The stay is stated to be continuing. Hence, the matter is posted to 29-09-2018.

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O.P.No.495 of 2003

AP TRANSCO Vs M/s. Andhra Pradesh Paper Mills & others

Commission by order dated 22-03-2004 determined Bulk Supply Tariff, Transmission Charges, SLDC Charges (Common order in O.P.Nos.495 to 499 of 2003)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.496 of 2003

APEPDCL Vs M/s. Andhra Pradesh Paper Mills & others

Commission by order dt.22-3-2004 determined distribution and retail supply tariffs  
(Common order in O.P.Nos.495 to 499 of 2003)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri K. Gopal  
Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.497 of 2003

APCPDCL Vs M/s. Andhra Pradesh Paper Mills & others

Commission by order dt.22-3-2004 determined distribution and retail supply tariffs  
(Common order in O.P.Nos.495 to 499 of 2003)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal  
Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.498 of 2003

APNPDCL Vs M/s. Andhra Pradesh Paper Mills & others

Commission by order dt.22-3-2004 determined distribution and retail supply tariffs  
(Common order in O.P.Nos.495 to 499 of 2003)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.499 of 2003

APSPDCL Vs M/s. Andhra Pradesh Paper Mills & others

Commission by order dt.22-3-2004 determined distribution and retail supply tariffs  
(Common order in O.P.Nos.495 to 499 of 2003)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.30 /2004

APTRANSCO Vs Small Hydro Power Developers' Association & others

Commission by order dated 22-03-2005 determined Bulk Supply Tariff, Transmission Charges, SLDC Charges (Common order in O.P.Nos.30 to 34 of 2004)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.31 /2004

APCPDCL Vs Small Hydro Power Developers' Association & others

Commission by order dt.22-3-2005 determined distribution and retail supply tariffs  
(Common order in O.P.Nos.30 to 34 of 2004)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.32 /2004

APEPDCL Vs Small Hydro Power Developers' Association & others

Commission by order dt.22-3-2005 determined distribution and retail supply tariffs  
(Common order in O.P.Nos.30 to 34 of 2004)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.33 /2004

APNPDCL Vs Small Hydro Power Developers' Association & others

Commission by order dt.22-3-2005 determined distribution and retail supply tariffs  
(Common order in O.P.Nos.30 to 34 of 2004)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.34 /2004

APSPDCL Vs Small Hydro Power Developers' Association & others

Commission by order dt.22-3-2005 determined distribution and retail supply tariffs  
(Common order in O.P.Nos.30 to 34 of 2004)

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.1 of 2006

APTRANSCO Vs Small Hydro Power Developers' Association & others

Determination of tariffs including transmission charges. Certain generators questioned the Tariff Order dt.23.03.2006 in respect of levy of transmission charges.

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.2 of 2006

APCPDCL Vs Small Hydro Power Developers' Association & others

Commission by a common order dated 23-03-2006 determined distribution tariff for control period 2006-07 to 08-09 and RST for FY 2006-07for 4 discoms

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.3 of 2006

APEPDCL Vs Small Hydro Power Developers' Association & others

Commission by a common order dated 23-03-2006 determined distribution tariff for control period 2006-07 to 08-09 and RST for FY 2006-07for 4 discoms

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.4 of 2006

APNPDCL Vs Small Hydro Power Developers ' Association & others

Commission by a common order dated 23-03-2006 determined distribution tariff for control period 2006-07 to 08-09 and RST for FY 2006-07for 4 discoms

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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O.P.No.5 of 2006

APSPDCL Vs Small Hydro Power Developers ' Association & others

Commission by a common order dated 23-03-2006 determined distribution tariff for control period 2006-07 to 08-09 and RST for FY 2006-07for 4 discoms

Sri P. Shiva Rao, learned Standing Counsel for the petitioner and Sri. K. Gopal Choudary, Sri Challa Gunaranjan, learned counsel for the respondents are present.

The matters are stated to be still pending before the Hon'ble Supreme Court.  
Hence, posted to 29-09-2018.

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Jurisdictional Batch (41 matters)

O.P.Nos.12 of 2008; 19 of 2009; 33 of 2009; 42 of 2009 & I.A. No. 4 of 2010; 57 of 2011; 70 of 2012; 71 of 2012; 72 of 2012; 79 of 2012; 85 of 2012; 8 of 2013 & I.A.No.1 of 2013; 9 of 2013 & I.A.No.2 of 2013; 12 of 2013; 23 of 2013; 24 of 2013 & I.A.No.14 of 2013; OP (SR) No.25 of 2013 & IA (SR) No.80 of 2013; 51 of 2013; 58 of 2013 & I.A.No.31 of 2013; 60 of 2013 & I.A.No.37 of 2013; 1 of 2014; 2 of 2014; 10 of 2014; 12 of 2014 & I.A.No.3 of 2014; 13 of 2014; 14 of 2014; 15 of 2014; 20 of 2014; 34 of 2014; 37 of 2014 & I.A.No.9 of 2014; 38 of 2014; 40 of 2014; 46 of 2014; 56 of 2014, R.P.No.1 of 2014 in O.P. No. 44 of 2013; 10 of 2015; 60 of 2012; 12 of 2016; 28 of 2017; 29 of 2017, 11 of 2015 & 41 of 2017.

GVK Industries Ltd Vs DISCOMs and 40 matters

The question of jurisdiction is stated to be still under consideration of the Hon'ble High Court. Hence, the matters are posted to 29-09-2018.

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O.P.No.41 of 2017

M/s. Madhucon Sugar & Power Industries Ltd Vs APPCC & 4 others

Petition filed under Section 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute between the generating company and the distribution companies

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the respondents are present.

Post along with other jurisdiction matters to 29-09-2018.

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at 11:00 AM

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O.P. No. 49 of 2017

M/s. Southern Rocks & Minerals Pvt. Ltd Vs APSLDC & 2 others

Petition under Section 86(1) (f) of the Electricity Act, 2003 r/w Clause 15 of Regulation 2 of 2006 & APERC (Conduct of Business) Regulations, 1999 to declare the date of commissioning of its solar plant (1.03 MW) as 16-06-2016 and to extend the benefits and incentives provided under G.O.Ms.No.8 dated 12-02-2015 as adopted in Regulation No.1 of 2016 & Regulation No. 2 of 2016 by allowing banking facility and scheduling of energy enabling petitioner to utilize the same for its captive use

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request, the matter is posted to 21-07-2018.

Call on:

21-07-2018  
at 11:00 AM

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O.P. No. 11 of 2018

M/s. ITC Limited Vs. APSPDCL & 3 others

Petition under Sections 86(1) (f) and 62 (6) of the Electricity Act, 2003 for recovery of various amounts towards delayed payment surcharge, interest, reimbursements and / or refunds from the APDISCOMs with respect to supply of wind power against order in Lr. No. CE / Comml / APPCC / SE / Comml / F-ITC / D.No. 377 / 14 dated 04-12-2014.

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri P. Shiva Rao, learned Standing Counsel entered appearance for respondents 1 to 4 and requested time for counter. Hence, the matter is posted to 28-07-2018.

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28-07-2018  
at 11:00 AM

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CHAIRMAN

O.P. No. 12 of 2018

M/s. ITC Limited Vs. APSPDCL & 2 others

Petition under Section 86(1) (f) of the Electricity Act, 2003 for recovery of various amounts towards delayed payment surcharge from the APDISCOMs with respect to supply of wind power against order in Lr. No. CE / Comml / APPCC / SE / Comml / F-ITC / D.No. 399 / 16 dated 30-05-2016.

Sri K. Gopal Choudary, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Sri P. Shiva Rao, learned Standing Counsel entered appearance for respondents 1 to 3 and requested time for counter. Hence, the matter is posted to 28-07-2018.

Call on: 28-07-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No. 37 of 2017 & I.A.No. 13 of 2017

M/s. Tata Power Renewable Energy Ltd., Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request, the matter is posted to 13-07-2018 at 3:00 PM.

Call on: 13-07-2018  
at 3:00 PM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No. 38 of 2017 & I.A.No. 14 of 2017

M/s. JED Solar Parks Pvt Ltd. Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request, the matter is posted to 13-07-2018 at 3:00 PM.

Call on:

13-07-2018  
at 3:00 PM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No. 39 of 2017 & I.A.No. 15 of 2017

M/s. POLY Solar Parks Pvt Ltd. Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request, the matter is posted to 13-07-2018 at 3:00 PM.

Call on:

13-07-2018  
at 3:00 PM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No.66 of 2017

M/s. Jindal Aluminium Ltd Vs APSPDCL & 3 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 r/w APERC (Conduct of Business) Regulations, 1999 challenging deduction of the Generation Based Incentive (GBI) amount from the payments due to the petitioner on account of energy supplied under the PPA and to refund the same with interest

Sri Challa Gunaranjan, learned counsel for the petitioner and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

At request, the matter is posted to 13-07-2018 at 3:00 PM.

Call on:

13-07-2018  
at 3:00 PM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No. 5 of 2018

Smt. Karrothu Laxmi & 25 others Vs APTRANSCO & 5 others

Petition filed under Rule 3 (5) of the Andhra Pradesh Works of Licensee Rules, 2007 questioning denial of compensation to the petitioners on the ground that the towers have been erected prior to the issuance of the order by the 6th respondent to pay compensation to the petitioners towards land diminution value due to erection of towers in their lands

Sri A. Jagannadha Rao, learned counsel for the petitioners and Sri P. Shiva Rao, learned Standing Counsel for the utilities are present.

Orders pronounced (*vide separate order*)

“Accordingly, ----

(a) proceedings of the 6<sup>th</sup> respondent in Lr.No.46/2015/CC dated 05-08-2015 and the consequential proceedings of the 2<sup>nd</sup> respondent passed in Memo No.CPT230/SE/PM/ROW/Vizianagaram Dist/D.No.108/2016 dated

16-02-2016 and CPT230/SEPM/F.Garividi-Bobbili works/D.No.556/2016 dated 13-07-2016 are declared illegal and are set aside;

(b) the matter is remitted back to the 6<sup>th</sup> respondent to determine the compensation payable to each of the petitioners due to erection of towers in their lands for the erection of 220 KV DC line from 220 KV Garividi SS to 220/132 KV SS at Bobbili Growth Centre, Vizianagaram District in accordance with the Andhra Pradesh Works of Licensees Rules, 2007;

(c) the compensation so determined by the 6<sup>th</sup> respondent has to be paid by the 1<sup>st</sup> respondent to each of the petitioners expeditiously; and

(d) the parties shall bear their own costs.”

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No. 30 of 2017

APSPDCL & APEPDCL Vs M/s. GMR Vemagiri Power Generation Ltd & 2 others

Petition under Section 86 (1) (f) of the Electricity Act, 2003 requesting the Commission to direct the respondent No.1 to pay the energy consumed by it towards Start-up and Maintenance of its 370 MW project at Vemagiri (V), Kadium (M), East Godavari District at HT-1 scheduled tariff

Sri P. Shiva Rao, learned Standing Counsel for the petitioners and Sri K. Siddarth, learned counsel for GMR Vemagiri Power Generation Limited are present.

The matter is stayed by the Hon'ble High Court in I.A.No.1 of 2018 in W.P.No.14276 of 2018 by order dated 26-04-2018. Hence, call along with other stayed matters on 29-09-2018.

Call on:

29-09-2018  
at 11:00 AM

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN

O.P. No. 51 of 2017

Sri Ch. Chandra Mouli and Sri Ch. Venugopal Rao Vs CMD/APTRANSCO & 5  
others  
Petition filed under sub-rules (1) (2) of Rule 13 of the Andhra Pradesh Works of  
Licensee Rules, 2007 and Section 19 of the Electricity Act, 2003

Sri P. Chengal Reddy, learned counsel for the petitioners and Sri P. Shiva Rao,  
learned Standing Counsel for the utilities are present.

Orders pronounced (*vide separate order*)

**“5.** Therefore,----

**(a)** The District Collector, Krishna District being the authorized officer under G.O.Ms.No.6, Energy, Infrastructure & Investment (Power.III) Department, dated 06-03-2017 shall fix, after considering the representations of the concerned persons, if any, the amount of compensation or of an annual rent or of both, which should in his opinion, be paid by the licensee i.e., Transmission Corporation of Andhra Pradesh Limited to the owner / occupier of the land in question i.e., the petitioners in respect of the work of the licensee carried out in an area of Ac.0.31 cents in S.No.41/1 of Guntupalli Village, Ibrahimpatnam Mandal, Krishna District as part of the work of the 2 Double Circuit lines for Loop-in and Loop-out of Nunna – Srisailam / Narasaraopeta 400 KV Double Circuit line to VTPS (Stage-IV) (Tower No.7 and lines) under Rule 3 (4) of the Andhra Pradesh Works of Licensees Rules, 2007 and also determine the full compensation for any loss or damage incurred by the petitioners by reason of default of Transmission Corporation of Andhra Pradesh Limited in complying with any of the statutory rules under Rule 13 of the said Rules;

- (b) Such fixing and determining the compensation under Rule 3 (4) and Rule 13 (1) of the Andhra Pradesh Works of Licensees Rules, 2007 shall be completed by the District Collector, Krishna District as per the prescribed procedure on merits in accordance with law within 6 (six) months from the date of communication of this order;
- (c) The Transmission Corporation of Andhra Pradesh Limited shall pay any compensation so fixed and determined by the District Collector, Krishna District within 2 (two) months from the date of communication of the orders of the District Collector, Krishna District to it;
- (d) The other prayers of the petitioners for action in respect of the criminal proceedings against the 2<sup>nd</sup> petitioner or non-communication of the Andhra Pradesh Works of Licensees Rules, 2007 against any of the respondents or officers of the Transmission Corporation of Andhra Pradesh Limited are not granted, due to such reliefs being beyond the scope of the inquiry under the statutory rules herein or the jurisdiction of the Commission there under, apart from the absence of merits;
- (e) The parties shall bear their own costs in this Original Petition.

**A N D**

the Original Petition is ordered accordingly.”

Sd/-  
MEMBER / PRM

Sd/-  
MEMBER / PR

Sd/-  
CHAIRMAN