

## **CIRCULAR**

The Andhra Pradesh Reorganisation Act, 2014 directed in the Twelfth Schedule formation of separate State Electricity Regulatory Commissions in the successor States in the place of the then existing Andhra Pradesh Electricity Regulatory Commission. Accordingly, the Andhra Pradesh Electricity Regulatory Commission has been constituted with effect from 01-08-2014 for the State of Andhra Pradesh by the State Government.

Proceedings in the Original Petitions, Review Petitions and Interlocutory Applications pending before the erstwhile Andhra Pradesh Electricity Regulatory Commission have to be continued before this Commission, in so far as the present Commission has territorial jurisdiction, jurisdiction over the subject matter and jurisdiction over the parties to the proceedings. The pending proceedings have to be suitably amended in respect of the parties or the subject matter or the relief claimed or concerning any other relevant aspect so as to confine them to the extent of existence of jurisdiction of this Commission.

To achieve the said purpose, the following procedure is to be followed in all the proceedings:

- (1) The petitioners have to report to the Commission whether their petitions / applications as framed and as pending are within the jurisdiction of the present Commission and need no amendment.
- (2) If the respondents desire to question the existence of such jurisdiction, it is open to them to file an additional pleading to that effect, in response to which, the petitioners can file their rejoinder. The question of jurisdiction will be decided by the Commission on merits, if so raised.
- (3) If the petitioners report that the petitions / applications require to be amended in respect of the parties or the subject matter or the relief or otherwise in respect of any part of the pending proceedings, they can come up with appropriate Interlocutory Applications which can be resisted by the respondents by filing counters and the Commission will decide the amendment applications on merits.

(4) If the amendment applications are allowed, necessary consequential procedural steps will be ordered and respondents will have a right to file additional pleadings in response to the amended petitions / applications.

In following the above general principles in the matters pending with this Commission, the provisions of the Electricity Act, 2003 and the Andhra Pradesh Electricity Reform Act, 1998 to the extent they are not inconsistent with the Central Act, the statutory Rules and Regulations will be duly observed and complied with.

All original petitions, review petitions and interlocutory applications filed before the erstwhile Andhra Pradesh Electricity Regulatory Commission or this Commission and not yet taken on file and all such petitions and applications that will be henceforth filed before this Commission will be entertained, enquired into and decided on merits in accordance with law to the extent of the jurisdiction of this Commission.

Hyderabad  
03.12.2014

Sd/-  
SECRETARY (IC)