

Record of proceedings dated 23.09.2016

Sri. Y. Rama Rao, Counsel for the petitioners and respondents in respective cases, Sri. G.V. Brahmananda Rao, Advocate on behalf of Sri. P. Shiva Rao, Counsel for the petitioners and respondents in respective cases, Sri. M. K. Viswanatha Naidu Advocate on behalf of Sri. Challa Gunaranjan for several petitioners and respondents, Sri. Arjun Bhaskar, Advocate for Sri. Ch Pushayam Kiran, Advocate on behalf of M/s. Spectrum Power Generation Limited, Sri. Madhu Babu Malredy, Dy. Manager-Legal of M/s. GVK Industries Limited and M/s. GVK Gautami Power Limited, Sri. Vikram Poserla, Advocate and the counsel for the petitioner M/s. Reliance Infrastructure Limited are present on the date of hearing. There is neither appearance of Sri. K Gopal Choudary nor any representation made on his behalf in respect of either petitioners or respondents in the cases listed for the day. Sri. Rajiv Bharadwaj and Sri. G. Pramod Kumar, Advocates appearing for M/s. PTC India Limited were also not present nor any representation is made on their behalf or the party.

O. P. No.16 of 2015

APTRANSCO 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 OP Nos. 596 to 499 of 2003)

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 17 of 2015

APCPDCL 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 OP Nos. 596 to 499 of 2003)

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 18 of 2015

APNPDCL 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 OP Nos. 596 to 499 of 2003)

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 19 of 2015

APTRANSCO vs M/s Small Hydro Power Developers' Association & Others

Commission by order dated 22.03.2005 determined bulk supply tariff, transmission charges, SLDC charges (Common Order in OP Nos. 30 to 34 of 2004)

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 20 of 2015

APCPDCL vs M/s Small Hydro Power Developers' Association & Others

Commission by order dated 22.03.2005 determined bulk supply tariff, transmission charges, SLDC charges (Common Order in OP Nos. 30 to 34 of 2004)

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 21 of 2015

APNPDCL vs M/s Small Hydro Power Developers' Association & Others

Commission by order dated 22.03.2005 determined bulk supply tariff, transmission charges, SLDC charges (Common Order in OP Nos. 30 to 34 of 2004)

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 22 of 2015

APTRANSCO vs M/s Small Hydro Power Developers' Association & Others

Determination of tariffs including transmission charges. Certain generators questioned the tariff order dated 23.03.2006 in respect of levy of transmission charges.

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 23 of 2015

APCPDCL vs M/s Small Hydro Power Developers' Association & Others

Commission by a Common order dated 23.03.2006 determined distribution tariff for control period 2006-07.

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 24 of 2015

APNPDCL vs M/s Small Hydro Power Developers' Association & Others

Commission by order dated 22.03.2005 determined bulk supply tariff, transmission charges, SLDC charges (Common Order in OP Nos. 30 to 34 of 2004)

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and

therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

R. P. No. 01 of 2015

M/s RPP Ltd. Vs DISCOMS

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

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as nature of the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

R. P. No. 02 of 2015

M/s RPP Ltd. Vs APTRANSCO

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

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

R. P. No. 03 of 2015

M/s KCP & 2 others Vs APPCC, APTRANSCO & DISCOMS

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

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

R. P. No. 04 of 2015

M/s KCP & 2 others Vs APPCC, APTRANSCO & DISCOMS

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

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

R. P. No. 05 of 2015

M/s Small Hydro Power Developers Association & 16 others vs DISCOMS

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

The counsel for the petitioner submitted that though the matter involves jurisdiction issue, the substantial issue is pending before the Hon'ble Supreme Court and

therefore, the decision of the Supreme Court may be awaited before deciding the case both on jurisdiction as well as issue in the case.

The Commission after considering the submissions of the counsel for the petitioner adjourned the hearing in this petition as well as connected petitions without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 25 of 2015

M/s GVK Industries Ltd. vs DISCOMS & APPCC

Petition u/s 86 (1) (f) of the Electricity Act, 2003 in respect of certain claims amounting to Rs.262 crs.

The Commission specifically sought from the representative of the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 26 of 2015

APTRANSCO & 4 DISCOMS vs M/s GVK Industries Ltd.

Petition u/s 86 of the Electricity Act, 2003 seeking calculation of interest on working capital for computation of fixed charges, limiting the working capital amount to the actual borrowings.

The Commission specifically sought from the representative of the respondent as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the

respondent had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 27 of 2015

M/s Lanco Kondapalli Power Ltd. Vs APPCC, APTRANSCO & DISCOMS

Petition u/s 86 (1) (f) of the Electricity Act, 2003 claiming capacity charges payable by the respondents and also interest payable thereon.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 28 of 2015

M/s Lanco Kondapalli Power Ltd. Vs APPCC, APTRANSCO & DISCOMS

Petition u/s 62, 86 (1) (f) of the Electricity Act, 2003 claiming finance and procurement costs payable by the respondents together with interest thereon and I.A. No. 4 of 2010 filed by the respondents.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 33 of 2015

APTRANSCO & 4 DISCOMS vs M/s Spectrum Power Generation Ltd.

Petition u/s 86 (1) (b) of the Electricity Act, 2003 seeking deletion of usage of naphtha as supplementary fuel and others as alternate fuel.

The Commission specifically sought from the counsel for the respondent as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the respondent had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. (SR) No. 07 of 2015

M/s Spectrum Power Generation Ltd. Vs APTRANSCO & 5 others

Petition filed under Section 86 (1) (f) read with sections 86 (1) (a) and 86 (1) (k) of the Electricity Act, 2003 for approval of completed capital cost incurred by the petitioner.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

R. P. (SR) No. 05 of 2015

M/s Guttaseema Wind Energy Company Pvt. Ltd. Vs APTRANSCO & DISCOMS

Petition for review of the order in OP Nos. 6 & 7 of 2009 dt. 22.04.2013

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered,

the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

R. P. (SR) No. 06 of 2015

APTRANSCO & DISCOMS vs M/s Guttaseema Wind Energy Company Pvt. Ltd.

Petition for review of the order in OP Nos. 6 & 7 of 2009 dt. 22.04.2013

The Commission specifically sought from the counsel for the respondent as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the respondent had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 52 of 2015

M/s Lanco Kondapalli Power Ltd. Vs APPCC, APTRANSCO & DISCOMS

Petition u/s 86 (1) (f) for reimbursement of minimum fuel off-take charges and other fuel transportation charges being part of monthly bills.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the

issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 67 of 2015

M/s Bharath Aluminium Company Ltd. vs PTC India Ltd., & 2 others

Petition filed u/s 86 (1) (f) of the Electricity Act, 2003 for recovery of compensation deducted from the petitioner purportedly towards non-supply of power.

The counsel for the petitioner and the contesting respondent are not present. The counsel for the DISCOMs stated that the petitioner has approached the Hon'ble High Court and filed W. P. No. 11353 of 2016 with a prayer to decide as to which of the Commissions, either APERC or TSERC has jurisdiction to decide the matter of the petitioner by invoking section 105 (2) of the A. P. Reorganisation Act, 2014. Therefore, the matter cannot be proceeded with till the disposal of the said writ petition. He also stated that there are three other writ petitions, which are pending consideration of the Hon'ble High Court on the issue of jurisdiction and are scheduled to be listed for hearing on 18.10.2016 with specific understanding that no adjournment will be sought in those matters. In these circumstances, he requested for adjourning the matter indefinitely.

The Commission having considered the submission of the counsel for the DISCOM, adjourned the hearing to 21.10.2016 as the counsel for the petitioner is absent. The

Commission will take a view on the submissions of the counsel for the DISCOM on the next date of hearing.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 75 of 2015
And
I. A. No. 16 of 2015

TSNPDCL & TSSPDCL vs APGENCO

Petition seeking directions to the respondent to comply with the direction of Southern Regional Load Despatch Centre dated 18.06.2014 by floating the provision of Electricity Act, 2003.

The counsel for the respondent is not present. The counsel for the petitioner sought time to submit arguments with reference to compliance of directions of SRLDC and SLDC. As the matter partially involves the issue of jurisdiction, the same may be adjourned to the next date of hearing.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 40 of 2015
And
I. A. No. 06 of 2015

M/s GVK Gautami Power Ltd. Vs DISCOMS, APPCC & APTRANSCO

Petition U/S 86 (1) (F) Electricity Act, 2003 seeking declaration that the petitioner is required to be compensated for capacity charges, transportation charges and imbalance charges.

The Commission specifically sought from the representative of the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 41 of 2015

And

I. A. No.07 of 2015

M/s GVK Gautami Power Ltd. Vs DISCOMS, APPCC & APTRANSCO

Petition U/S 86 (1) (f) Electricity Act, 2003 seeking declaration that the petitioner is required to be compensated for capacity charges, transportation charges and imbalance charges.

The Commission specifically sought from the representative of the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 45 of 2015

And

I. A. No. 10 of 2015

M/s RVK Energy Pvt. Ltd. Vs APPCC & 9 others

Petition U/S 86 (1) (f) Electricity Act, 2003 for claim for price of the power supplied by the petitioner to Andhra Pradesh Power Coordination Committee (APPCC). Hearing before admission.

I.A. filed by the petitioner u/s 94 of the Act.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 47 of 2015

DISCOMS vs M/s GVK Gautami Power Ltd.

Petition U/S 86 (1) (b) and (f) of the Electricity Act, 2003 for deletion of the clause reflecting alternate fuel in the definition of the 'Fuel' in the PPA entered by the parties.

The Commission specifically sought from the representative of the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 48 of 2015

DISCOMS vs M/s GVK Industries Ltd.

Petition U/S 86 (1) (b) and (f) of the Electricity Act, 2003 for deletion of the clause reflecting alternate fuel in the definition of the 'Fuel' in the PPA entered by the parties.

The Commission specifically sought from the representative of the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 54 of 2015
And
IA No. 11 of 2015

M/s GVK Industries Ltd. (Phase-II) vs DISCOMS & APTRANSCO

Petition U/S 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes between the parties and the IA also filed by the petitioner for interim orders.

The Commission specifically sought from the representative of the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 55 of 2015

M/s GVK Industries Ltd. vs DISCOMS & APPCC

Petition U/S 86 (1) (f) of the Electricity Act, 2003 seeking to recover several amounts due to it under various provisions of the PPA.

The Commission specifically sought from the representative of the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 56 of 2015

M/s EID Parry (India) Ltd. Vs APTRANSCO & DISCOMS

Petition U/S 86 (1) (f) of the Electricity Act, 2003 in relation to non-payment of fixed charges by truing annualized threshold PLF of 55% as per the tariff determined by the Commission to the petitioner under the power purchase agreement.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make

the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 57 of 2015

M/s Sptectrum Power Generation Ltd. vs APTRANSCO, DISCOMS & APPCC

Petition U/S 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes between the parties with regard to Minimum Off Take charges.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 63 of 2015

M/s GVK Industries Ltd. vs APEPDCL & 5 others

Petition filed for adjudication of disputes between the parties.

The Commission specifically sought from the representative of the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The representative of the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 65 of 2015
And
I. A. No. 14 of 2015

M/s Spectrum Power Generation Ltd. Vs APTRANSCO & 5 others

Petition filed U/S 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of disputes between the parties, along with interlocutory application (IA No. 9 of 2014)

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 66 of 2015

M/s Spectrum Power Generation Ltd. vs APTRANSCO & 5 others

Petition filed U/S 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of disputes between the parties.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 69 of 2015

M/s Spectrum Power Generation Ltd. vs APTRANSCO & 7 others

Petition filed U/S 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes between the parties.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 70 of 2015

M/s Spectrum Power Generation Ltd. vs APTRANSCO & 7 others

Petition filed U/S 86 (1) (f) of the Electricity Act, 2003 for adjudication of disputes between the parties.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 71 of 2015

M/s Spectrum Power Generation Ltd. vs APTRANSCO & 12 others

Petition filed adjudication of disputes between the parties.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had

stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 72 of 2015

M/s Spectrum Power Generation Ltd. vs APTRANSCO & 7 others
Petition filed adjudication of disputes between the parties.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 73 of 2015

M/s Spectrum Power Generation Ltd. vs APTRANSCO & 7 others
Petition filed adjudication of disputes between the parties.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in each case have been submitted by them while hearing on the

issue of the jurisdiction on the earlier occasion. The counsel for the petitioner had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

R. P. No. 6 of 2015

APTRANSCO & 5 others vs M/s Spectrum Power Generation Ltd.

Petition filed under section 94 (1) (f) of the Electricity Act, 2003 seeking review the Commission's order dated 27.07.2013 in OP No. 44 of 2013.

The Commission specifically sought from the counsel for the respondent as to whether the facts involved in each case have been submitted by them while hearing on the issue of the jurisdiction on the earlier occasion. The counsel for the respondent had stated that no submissions were made earlier and therefore, he needs time to make the detailed submissions as regards the date of PPA, with whom it has been entered, the provisions of the transfer scheme and transfer of this petition to this Commission from the erstwhile APERC.

The Commission having considered the position obtaining as of the day, has granted time for making submissions in detail and posted the matter alongwith connected matters to 21.10.2016.

Call on 21.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 39 of 2015

M/s. Reliance Infrastructure Ltd. Vs DISCOM & APPCC

Petition u/s 86 (1) (f) of the Electricity Act, 2003 seeking to restrain the DISCOMs from deducting from the monthly bills amounts towards deemed generation

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in this case have been submitted by them in the earlier hearings. The counsel for the petitioner while stating and recollecting that the Commission had earlier also sought hearing on the facts and that he did not submit the same, further stated that the senior counsel appearing for the petitioner in this case is unable to attend the hearing today and therefore, seeks adjournment of the hearing of this case as well as connected cases to earliest possible date of 28.09.2016. The counsel for the respondent expressed his inability to argue the matter stating that the issue involved in this petition is already a subject matter of a writ petition by the petitioner in this case and the same is pending consideration before the Hon'ble High Court. He also stated that since the present petition involves the issue of jurisdiction and there being a direction by the Hon'ble High Court to decide the matter including the issue of jurisdiction, specific date may be given in the matter for hearing, but not earlier than 18.10.2016. He sought to point out the issue of jurisdiction is itself under consideration in several writ petitions filed by respondents and other generators and specific writ petition seeking decision on the jurisdiction in the form of M/s. Bharath Aluminium Limited. However, appropriate, orders may be passed after hearing all the concerned parties.

The Commission having considered the submissions of the counsel for the parties and in view of the fact that the directions of the Hon'ble High Court are staring at the Commission, adjourned the hearing to 05.10.2016, on which date the counsel for the petitioner shall submit his arguments and a reply to be given by the DISCOM shall be done on 21.10.2016.

Call on 05.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 44 of 2015 & I. A. No. 09 of 2015

APPCC & DISCOMS Vs M/s. Reliance Infrastructure Ltd

Petition filed u/s 86 (1) (f) of the Electricity Act, 2003 in the matter of ineligibility of availability declarations with alternate fuel (naphtha / HSD) by the respondent, after the year 2009, and for deletion of alternate fuel clause”.

IA filed by the petitioners u/s 128 of the Electricity Act, 2003 for appointment of a committee of technical officers and direct them to investigate the issue as to whether there were tanks for storing naphtha at the project of the respondent and after the year 2009 and as to the probable date of dismantling of naphtha tanks, by inspecting the project premises and the records.

The Commission specifically sought from the counsel for the respondent as to whether the facts involved in this case have been submitted by them in the earlier hearings. The counsel for the respondent while stating and recollecting that the Commission had earlier also sought hearing on the facts and that he did not submit the same, further stated that the senior counsel appearing for the respondent in this case is unable to attend the hearing today and therefore, seeks adjournment of the hearing of this case as well as connected cases to earliest possible date of 28.09.2016. The counsel for the respondent expressed his inability to argue the matter stating that the issue involved in this petition is already a subject matter of a writ petition by the respondent in this case and the same is pending consideration before the Hon'ble High Court. He also stated that since the present petition involves the issue of jurisdiction and there being a direction by the Hon'ble High Court to decide the matter including the issue of jurisdiction, specific date may be given in the matter for hearing, but not earlier than 18.10.2016. He sought to point out the issue of jurisdiction is itself under consideration in several writ petitions filed by respondents and other generators and specific writ petition seeking decision on the jurisdiction in the form of M/s. Bharath Aluminium Limited. However, appropriate, orders may be passed after hearing all the concerned parties.

The Commission having considered the submissions of the counsel for the parties and in view of the fact that the directions of the Hon'ble High Court are starring at the Commission, adjourned the hearing to 05.10.2016, on which date the counsel for the respondent shall submit his arguments and a reply to be given by the DISCOM shall be done on 21.10.2016.

Call on 05.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O .P. No. 58 of 2015
&
I. A. No. 12 of 2015

M/s. Reliance Infrastructure Ltd vs DISCOMS & APPCC

Petition filed by the petitioner u/s 86(1) (f) of the Electricity Act, 2003 seeking declaration that HSD is an alternative fuel in terms of Article 1.1.27 of the PPA and refund the unauthorized deductions of Rs. 96,68,92,198/- made by the respondents from the bills payable to the petitioner.

The Commission specifically sought from the counsel for the petitioner as to whether the facts involved in this case have been submitted by them in the earlier hearings. The counsel for the petitioner while stating and recollecting that the Commission had earlier also sought hearing on the facts and that he did not submit the same, further stated that the senior counsel appearing for the petitioner in this case is unable to attend the hearing today and therefore, seeks adjournment of the hearing of this case as well as connected cases to earliest possible date of 28.09.2016. The counsel for the respondent expressed his inability to argue the matter stating that the issue involved in this petition is already a subject matter of a writ petition by the petitioner in this case and the same is pending consideration before the Hon'ble High Court. He also stated that since the present petition involves the issue of jurisdiction and there being a direction by the Hon'ble High Court to decide the matter including the issue of jurisdiction, specific date may be given in the matter for hearing, but not earlier than 18.10.2016. He sought to point out the issue of jurisdiction is itself under consideration in several writ petitions filed by respondents and other generators and specific writ petition seeking decision on the jurisdiction in the form of M/s. Bharath Aluminium Limited. However, appropriate, orders may be passed after hearing all the concerned parties.

The Commission having considered the submissions of the counsel for the parties and in view of the fact that the directions of the Hon'ble High Court are staring at the Commission, adjourned the hearing to 05.10.2016, on which date the counsel for the petitioner shall submit his arguments and a reply to be given by the DISCOM shall be done on 21.10.2016.

Call on 05.10.2016 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

