

**Record of proceedings dated 23.06.2015**

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)

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

The Commission agreed to adjourn the hearing on the issue of jurisdiction for specific hearing on the issue and also to hear all the stakeholders. Office is directed to issue a specific notice to the APTRANSCO and APDISCOMS duly indicating the cases being posted and also the date of hearing. Adjourned, post the case with all the cases.

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At 03:00 PM  
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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)

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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At 03:00 PM  
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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)

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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)

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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)

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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)

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments

in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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)

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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At 03:00 PM  
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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.

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. Challa Gunaranjan and Sri. M. K. Viswanath counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. Challa Gunaranjan and Sri. M. K. Viswanath counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. Mannava R K M Sodekar representative for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The representative for the petitioner adopted the arguments of Sri. K Gopala Choudary Advocate about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the parties requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. Y Rama Rao counsel for the petitioner and Sri. Mannava R K M Sodekar representative for the respondent are present. The representative for the respondent adopted the arguments of Sri. K Gopala Choudary Advocate about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel petitioner is in agreement with this submission. Both the parties requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. Challa Gunaranjan and Sri. M. K. Viswanath counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner adopted the arguments of Sri. K. Gopal Choudary Advocate about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. Challa Gunaranjan and Sri. M. K. Viswanath counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner adopted the arguments of Sri. K. Gopal Choudary Advocate about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. Y Rama Rao counsel for the petitioner and Sri. Arjun Bhaskar counsel for the respondent are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMS of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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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.

Sri. Arjun Bhaskar counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner adopted the arguments of Sri. K. Gopal Choudary Advocate about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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At 03:00 PM

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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

Sri. Challa Gunaranjan and Sri. M. K. Viswanath counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner adopted the arguments of Sri. K. Gopal Choudary Advocate about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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At 03:00 PM  
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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

Sri. Y Rama Rao counsel for the petitioner and Sri. Challa Gunaranjan and Sri. M. K. Viswanath counsel for the respondent are present. The counsel for the respondent adopted the arguments of Sri. K. Gopal Choudary Advocate about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel petitioner is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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Call on 04.07.2015  
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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.

Sri. Challa Gunaranjan and Sri. M. K. Viswanath counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent are present. The counsel for the petitioner adopted the arguments of Sri. K. Gopal Choudary Advocate about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh including the APTRANSCO. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

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Call on 04.07.2015  
At 03:00 PM  
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Chairman

O. P. No. 59 of 2015

And

I. A. No. 13 of 2015

M/s KSK Mahanadi Power Company Ltd. Vs DISCOMS

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for adjudication of dispute relating to claim of respondents towards liquidated damages of Rs. 23.60 crs under Article 4.8

of the power purchase agreement (PPA) dated 31.07.2012 entered between the parties.

Sri. Gurutwar Hebbar Regulatory Incharge and Sri. A Sreekanth DGM Business Development being representatives of the petitioner and Sri. Y Rama Rao counsel for the respondents are present. The representative of the petitioner stated that the petitioner has already filed a petition for amendment of the title and hence the issue jurisdiction would not arise, therefore the petition may not be tagged to the batch of cases. However the counsel for the respondents opposed the same.

The Commission directed the parties to make submissions on the issue of jurisdiction also and adjourned the matter along with the batch.

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Call on 04.07.2015  
At 03:00 PM  
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O. P. No. 60 of 2015

DISCOMS & APPCC vs M/s KSK Mahanadi Power Company Ltd. & 4 others

Petition u/s 86 (1) (f) of the Electricity Act, 2003 for directions on illegal claim of Rs. 66.31 crs towards the transmission charges for the period 16<sup>th</sup> June, 2013 to 13<sup>th</sup> August, 2013 and capacity charges for the period 16<sup>th</sup> June, 2013 to 26<sup>th</sup> July, 2013 by illegal invoking letter of credit by M/s KSK Mahanadi Power Company Ltd., for the period without supplying power to the petitioners.

Sri. Y Rama Rao counsel for the petitioners and Sri. Gurutwar Hebbar Regulatory Incharge and Sri. A Sreekanth DGM Business Development being representatives of the respondent are present. The representative of the respondent stated that the petitioners have to take steps to file a petition for amendment of the title and upon such filing the issue jurisdiction would not arise, therefore the petition may not be tagged to the batch of cases. However the counsel for the petitioners opposed the same.

The Commission directed the parties to make submissions on the issue of jurisdiction also and adjourned the matter along with the batch.

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Call on 04.07.2015  
At 03:00 PM  
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O. P. No. 68 of 2015

M/s KSK Mahanadi Power Company Ltd. vs DISCOMS

Petition filed u/s 86 (1) (f) of the Electricity Act, 2003 seeking adjudication of disputes arising under the power purchase agreement dated 31.07.2012 between the parties.

Sri. Gurutwar Hebbar Regulatory Incharge and Sri. A Sreekanth DGM Business Development being representatives of the petitioner and Sri. Y Rama Rao counsel for the respondents are present. The representative of the petitioner stated that the petitioner has already filed a petition for amendment of the title and hence the issue jurisdiction would not arise, therefore the petition may not be tagged to the batch of cases. However the counsel for the respondents opposed the same.

The Commission directed the parties to make submissions on the issue of jurisdiction also and adjourned the matter along with the batch.

Call on 04.07.2015

At 03:00 PM

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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.

Sri. K Gopal Choudary counsel for the petitioner and Sri. Y Rama Rao counsel for the respondent DISCOM and Sri. Ravi Kishore along with Sri. Pramod Kumar counsel for the PTC India Limited are present. The counsel for the petitioner submitted his arguments in detail about the issue of jurisdiction. The counsel stated that the matter related both the DISCOMS in both the states and thus notice needs to go to the DISCOMs of the state of Andhra Pradesh. The counsel respondent is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

The Commission agreed to adjourn the hearing on the issue of jurisdiction for specific hearing on the issue and also to hear all the stakeholders. Office is directed to issue a specific notice to the APTRANSCO and APDISCOMs duly indicating the

cases being posted and also the date of hearing. Adjourned, post the case with all the cases.

Sd/-  
Member

Sd/-  
Member

Call on 04.07.2015  
At 03:00 PM  
Sd/-  
Chairman

O. P. No. 75 of 2015  
And  
IA 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.

Sri. Y Rama Rao counsel for the petitioner and Sri. K. Gopal Choudary counsel for the respondent are present. The counsel for the respondent adopted the arguments of earlier cases about the issue of jurisdiction. The counsel stated that the matter related to generating company of other state and thus notice needs to go to the respondent. The counsel petitioner is in agreement with this submission. Both the counsels requested for adjournment of the matter and also to give notice to the remaining parties also.

The Commission agreed to adjourn the hearing on the issue of jurisdiction for specific hearing on the issue and also to hear all the stakeholders. Office is directed to issue a specific notice to the APTRANSCO and APDISCOMs duly indicating the cases being posted and also the date of hearing. Adjourned, post the case with all the cases.

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At 03:00 PM  
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