



ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

(Regulatory Commission for the States of Andhra Pradesh and Telangana)

#11-4-660, 4th & 5th Floors, Singareni Bhavan, Red Hills, Hyderabad 500 004

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From
Commission Secretary,
APERC, 4th & 5th Floors,
11-4-660, Singareni Bhavan,
Red Hills, Lakdi-ka-pul,
Hyderabad 500 004.

To
The Secretary (Power),
Government of India,
Ministry of Power,
Shram Shakti Bhawan, Rafi Marg,
New Delhi 110 001.
Fax: (011)23717519

Lr. No.APERC/Secy/F:State Reorganisation/2014-8, Dated 24.10.2014

Sir,

Sub: APERC – AP Reorganisation Act, 2014 – Status of existing
APERC – Reg.

- Ref: 1. Lr.No.APERC/Secy/F:State Reorganisation/2014-5, dt.21.08.2014
2. Lr.No.13/6/2014–OM, dt.03.09.2014 from the MoP, GoI, New Delhi
3. Lr.No.APERC/Secy/F:State Reorganisation/2014-6, dt.30.09.2014
4. G.O.Ms.No.38, Energy (Power.III) Department, dt.04.10.2014 of GoAP
5. Lr.No.APERC/Secy/F:State Reorganisation/2014-7, dt.07.10.2014

I am directed by the Commission to write as under:

In the reference first cited, the Commission had requested Government of India to issue directions under Sections 92/108 of the Andhra Pradesh Reorganisation Act, 2014 to address five issues relating to the orderly and harmonious transition of the existing Andhra Pradesh Electricity Regulatory Commission (APERC) into the successor Commissions of the two States of Andhra Pradesh and Telangana. These issues are:

- (i) Status of Appeals filed by APERC in higher Courts in public interest.
- (ii) Continuation of 41 full time regular staff of this Commission.
- (iii) Obligation of Pension liabilities of this Commission
- (iv) Status of the Chairman and Members of the existing Commission
- (v) Distribution of assets and liabilities of the existing Commission

In the letter second cited, Government of India had requested the Commission to recommend the way forward in each of the five issues raised by the Commission. In the letter third cited, the Commission had given its specific recommendations to Government of India on the way forward on each of these issues to the Government of India.

In the letter fifth cited, the Government of India was informed that the Government Andhra Pradesh had appointed Sri Justice Bhavani Prasad, as Chairman of the Andhra Pradesh Electricity Regulatory Commission in the G.O. 4th cited.

Government of Telangana have in G.O.Ms.No.13 dated 22.10.2014 appointed Chairman and Members of the Telangana Electricity Regulatory Commission (copy enclosed).

This Commission had foreseen this situation in April, 2014 and has been continuously requesting since then (vide our Advisory No.1 to the then Government of Andhra Pradesh and subsequent Advisories No.2 & 3) that steps be taken for an orderly and harmonious transition of the Regulatory Commission as well as the Power Sector to the two successor States. However, these issues are yet to be addressed.

As on date, three Regulatory Commissions are in existence. These are (1) the Regulatory Commission for the State of Andhra Pradesh; (2) the Regulatory Commission for the State of Telangana; (3) and this Commission. Due to this turn of events, this Commission has been placed in a highly anomalous position where neither has it been legally dissolved nor does it exercise any jurisdictional authority.

Considering this amorphous situation, the Chairman and Members of this Commission are constrained to recuse themselves from office with immediate effect without prejudice to their rights.

The Commission Secretary has been delegated the responsibility to undertake the routine work of the Commission until orders are issued on the five transitional issues outlined above.

Government of India is once again requested to take a final view on these five transitional issues under Section 92/108 of the A.P. Reorganisation Act, 2014 and issue suitable directions.

Encl.: As above

Yours faithfully,


24/10/2014
Commission Secretary

Copy to:

The Principal Secretary to Govt., Energy Department, Government of Andhra Pradesh, Andhra Pradesh Secretariat, Hyderabad 500 004.

The Principal Secretary to Govt., Energy Department, Government of Telangana, Telangana Secretariat, Hyderabad 500 004.

PS to the Chairman/APERC
PS to the Member (A)/APERC
PS to the Member (R)/APERC

GOVERNMENT OF TELANGANA
ABSTRACT

TS-ENERGY DEPARTMENT - Telangana State Electricity Regulatory Commission (TSERC) - Appointment of Chairman and two Members for Telangana State Electricity Regulatory Commission - Notification - Orders - Issued.

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ENERGY (BUDGET) DEPARTMENT

G.O.MS.No. 13.

Dated.22-10-2014.

Read the following:-

1. A.P Reorganization Act, 2014.
2. The Electricity Act, 2003.
3. G.O.Ms.No.3, Energy (Budget) Department, Dt.26-07-2014.
4. G.O.Ms.No.4, Energy (Budget) Department, Dt.31-07-2014.

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ORDER:-

The following Notification will be published in the Extra-ordinary issue of the Telangana Gazette dated:22-10-2014.

NOTIFICATION

In exercise of the powers conferred under Section 84 of the Electricity Act, 2003 (Act No.36 of 2003) and the provisions contained in G.O.Ms.No.3, Energy (Budget) Department, dt:26.07.2014, the Government of Telangana hereby appoint the following officers as Chairman and Members to the Telangana State Electricity Regulatory Commission (TSERC) for a term of Five Years with effect from the date they enters upon their office or till they attain the age of 65 years whichever is earlier.

1. Sri Ismail Ali Khan, presently working as Member
in the Bihar Electricity Regulatory Commission Chairman
2. Sri H. Srinivasulu, Retired as Commissioner of Income
Tax (IRS) Member (Finance)
3. Sri L. Manohar Reddy, Director (Tariff) in APERC Member (Technical)

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr.S.K. JOSHI,
Principal Secretary to Government (FAC)

To
The Commissioner, Printing and Stationary, Hyderabad,
(for publication of notification and supply 100 copies.)
Sri Ismail Ali Khan, Chairman, TSERC
H.No.9-2-410/C/31, Ahmed Colony, Near Moti Darwaza,
Langarhouse, Hyderabad - 500 008

p.t.o.

Sri H. Srinivasulu, Member (Finance), TSERC
Plot No.22, Canton Park, Petabshirabad, OPP: JJ Garden,
Kompally, Medchal Road, Hyderabad - 500 067
Sri L. Manohar Reddy,
Mch No.3-4-1007/4 A&B, Flat No.202, Arundhati Plaza,
B/s Bus Depot Barkatpura, Hyderabad - 500 027
The Chairman & Managing Director, TS-TRANSCO, Hyderabad.
The Chairman & Managing Director, TS-GENCO, Hyderabad.
The Chairman & Managing Director, TS-SPDCL, Hyderabad.
The Chairman & Managing Director, TS-NPDCL, Warangal.

Copy to:-

The Secretary, APERC, Hyderabad.
The Secretary, Ministry of Power, Government of India, New Delhi.
The Chairperson, Central Electricity Authority, New Delhi.
The Chairperson, Central Electricity Regulatory Commission, New Delhi.
The P.S. to Prl. Secretary to Chief Minister.
P.S to Chief Secretary to Government.
P.S to Prl. Secretary to Government, Energy Department (FAC)
The Law Department.
SF/Scs [C.No.13/Budget/2014]

//Forwarded :: By Order//

SECTION OFFICER