

Record of Proceedings dated 23.10.2017

O. P. No.2 of 2015

M/s ITC Limited (Paper Boards and Specialty Paper Division, Secunderabad Vs
TSLDC & TNREDCL

Petition filed u/s 86 (1) (e) of the Electricity Act, 2003 seeking direction to the SLDC to give accreditation to the petitioner's renewable energy project

There is no representation on behalf of the petitioner. Sri Y. Rama Rao, Standing Counsel for the Respondents alongwith Ms. Pravalika, Advocate is present. Though notice is served on the petitioner and acknowledgement has been received by the Commission, yet there is no representation. This is the second occasion of there being no representation on behalf of the petitioner. Therefore, the petition is dismissed for default and non-prosecution by the petitioner.

Sd/-
Member

Sd/-
Chairman

O. P. No. 6 of 2015
And
I. A. No. 28 of 2015

M/s Rithwik Power Projects Limited vs TSNPDCL

Petition filed seeking directions to the Licensee for payment of tariff for the additional capacity of 1.5 MW at the rate being paid to existing 6 MW power plant.

Filed an I.A seeking to amend the title in the original petition.

Sri. Dharma Rao, Managing Director for the petitioner and Sri. Y. Rama Rao, Standing Counsel for the respondent alongwith Mr. Pravalika, Advocate are present. The representative of the petitioner sought adjournment of the hearing to any other date preferably on 02.11.2017. The standing counsel for the respondent has no objection.

The Commission having considered the request of the representative, adjourned the matter to 02.11.2017. Office is directed to list the matter under supplementary list

Call on 02.11.2017 at 11.00 A.M.

Sd/-
Member

Sd/-
Chairman

O. P. No. 34 of 2015
And
I. A. No. 17 of 2015
and
I. A. No. 17 of 2017
and
I. A. No. 18 of 2017

Indian Wind Power Association vs NEDCAP, APCPDCL & APTRANSCO

Petition seeking issuance of regulation for determination of RE Tariff based on CERC terms and conditions for tariff determination from renewable sources regulation dated 16.09.2009 for procurement of wind energy by distribution licensee.

I. A. No. 17 of 2015 seeking to implead the petitioners as party / respondents in I. A. No. 17 of 2015

I. A. No. 17 of 2017 seeking the petitioners in I. A. No. 17 of 2015 to amend the title in I. A. No. 17 of 2015 and substitute new parties as respondents in it.

I. A. No. 18 of 2017 seeking to amend the title to the original petition by substituting the respondents No. 4 to 6 in place of respondents No. 1 to 3.

Sri. Yella Reddy, Advocate representing Sri. S.V.S. Chowdary, Advocate for the petitioner, Sri. Y Rama Rao, Standing Counsel for the Respondents alongwith Ms. Pravalika, Advocate and Smt. Rajeshwari, Asst. General Manager for impleading petitioners are present.

The advocate representing the counsel on record for the petitioner has requested the Commission to adjourn the case to any other date by giving at least four weeks time. He stated that the policy to be issued by the government is under process and likely to be available in short time. He also stated that he requires further time to place certain details as required by the Commission in the earlier hearing.

The Commission pointed out that the petitioner has to show how the petition by an association is maintainable, details of the projects, which are under implementation in the State of Telangana and the need for determining preferential tariff in terms of CERC regulation, when in fact the National Tariff Policy of 2016 provides for procurement of power of renewable energy sources except solid waste in competitive bidding route.

Considering that the several aspects of information is sought by us, no date is fixed and the same will be intimated in due course.

Sd/-
Member

Sd/-
Chairman

O. P. No. 35 of 2015
And
I. A. No. 19 of 2017

M/s Axis Wind Energy Limited & 6 others vs GoAP & 6 others

Petition seeking framing guidelines determining evacuation policy and wheeling charges for captive generation or sale to third parties.

I. A. seeking amendment the title shown in the petition by deleting Respondents No. 5 & 6 and adding Respondents No. 8 to 10.

Smt. Rajeshwari, Asst. General Manager for the petitioner and Sri. Y. Rama Rao, Standing Counsel for the Respondents alongwith MS. Pravalika, Advocate are present.

The advocate representing the counsel on record for the petitioner in O. P. No. 34 of 2015 has requested the Commission to adjourn the case to any other date by giving at least four weeks time. He stated that the policy to be issued by the government is under process and likely to be available in short time.

The Commission pointed out that the petitioner has to show how the petition by an association is maintainable, details of the projects, which are under implementation in the State of Telangana and the need for determining preferential tariff in terms of CERC regulation, when in fact the National Tariff Policy of 2016 provides for procurement of power of renewable energy sources except solid waste in competitive bidding route.

Considering that the several aspects of information is sought by us, no date is fixed and the same will be intimated in due course.

Sd/-
Member

Sd/-
Chairman

O. P. No. 51 of 2015
&
I. A. No. 25 of 2015

M/s Nile Limited Vs. CPDCL

Petitioner seeking directions for payment on the monthly power bills.

I.A. filed seeking amendment of title in the original petition.

There is no representation for the petitioner. Sri Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate is present. The standing counsel for the respondents sought to represent that the matter involves the jurisdiction of the Commission and that therefore required to be adjourned till a decision on the issue is rendered by the Hon'ble High Court in the pending litigation before it.

The Commission has pointed out that the prayer of the petitioner is for payment of dues and the same may not attract the issue of jurisdiction. The standing counsel submitted that the issue in the petition is related to the combined state period. Having regard to the submissions of the standing counsel, the matter is adjourned with the observations that the Commission will take a view on the relief sought in the petition.

Sd/-
Member

Sd/-
Chairman

O. P. No. 80 of 2015

M/s. Singareni Calleries Company Ltd. Vs. TSNPDCL

Petition filed seeking for exemption from license granted by the erstwhile APERC

Sri. V. Vijendar, Chief General Manager (E&M) of the petitioner, Sri Y. Rama Rao, Standing Counsel for the respondents along with Ms. Pravalika, Advocate and Sri. B. V. Rao, Director of NPDCL are present. The representative of the petitioner stated that more than 80% of the supply connections given by the petitioner have been handed over to the licensee TSNPDCL. Though more than 4000 connections are to be handed over, physically about 2800 connections are completely in the licensee's fold upon transfer by the petitioner. In case of about 900 connections, the licensee has to undertake certain electrical works relating to up-gradation of line, installation of insulators and laying of transmission line for few kilometers. Unless these works are completed, physical transfer of such connections cannot take place as the power

supply cannot be disconnected and reconnected to the licensee immediately, because it will take some time and leaves a gap in supply of power.

The representative of the licensee while confirming the facts represented that they need some more time to complete the process of taking over service connections not relating to the petitioner in the course of the petitioner's activities. He stated that time is required for undertaking change of lines and insulators and undertaking the laying of transmission line. The representative of the petitioner stated that the delay has occurred in the last two months due to election work of employees and festive season. Both the representatives requested time until December, 2017 and emphatically confirmed that the total work relating to taking over of service connections not related to the petitioner's core and allied activities.

The Commission pointed out that the work would have been completed much earlier had there been coordination between the parties and coordinated meetings had been undertaken by them. It made it clear that the Commission is not here to direct or advise such course of action and it is for the parties to come forward to clear the situation arising out of the petition before this Commission. At any rate it was also made clear to the parties that no order will be passed extending the time period for completion of the process. The parties shall without fail file a completion report on or before 31.12.2017 about handing over of the service connections of power supply by the petitioner and taking over the same by the TSNPDCL. Based on such report, the Commission will pass the final order in the matter.

Sd/-
Member

Sd/-
Chairman

O. P. No. 86 of 2015

Indian Wind Power Association Vs. TSTRANSCO, TSDISCOMS & TGNREDCL

Petition filed for re-fixation of several factors that form part of the tariff

Sri. Yella Reddy, Advocate representing Sri. S. V. S. Chowdary, Counsel for the petitioner and Sri. Y. Rama Rao, Standing Counsel for the Respondents along with Ms. Pravalika, Advocate are present.

The advocate representing the counsel on record for the petitioner has requested the Commission to adjourn the case to any other date by giving at least four weeks time. He stated that the policy to be issued by the government is under process and likely to be available in short time. He also stated that he requires further time to place certain details as required by the Commission in the earlier hearing.

The Commission pointed out that the petitioner has to show how the petition by an association is maintainable, details of the projects, which are under implementation in the State of Telangana and the need for determining preferential tariff in terms of CERC regulation, when in fact the National Tariff Policy of 2016 provides for procurement of power of renewable energy sources except solid waste in competitive bidding route.

Considering that the several aspects of information is sought by us, no date is fixed and the same will be intimated in due course.

Sd/-
Member

Sd/-
Chairman

O. P. No 87 of 2015
&
I. A. No. 30 of 2015

Wind independent Power Producers Association & another Vs TSDISCOMS

Petition filed seeking determination of tariff for wind energy projects beyond 31.03.2015.

Application filed for amendment of the title of the original petition.

Sri. M. Abhinay, Advocate representing Sri. P. Vikram, Advocate for the petitioners and Sri. Y. Rama Rao, Counsel for the respondents along with Ms. Pravalika, Advocate are present.

The advocate representing the counsel for the petitioners on record has stated that there is a petition for impleading the proposed petitioner as petitioner to the original petition. The said company is in the process of establishing the wind project. The association is an all India level association consisting of about 1600 members. The implead petitioner has the project being established in Telangana.

The Commission required the petitioner to place before it the details of the projects as well as the members, who are establishing or have established wind projects in the State of Telangana. The advocate sought time to place on record every information as desired by the Commission and requested the Commission to post the matter to any date preferably either on 13th or 16th November, 2017.

The Commission having adjourned the similar matters has adjourned this matter also without any date.

Sd/-
Member

Sd/-
Chairman

O. P. No. 89 of 2015

M/s Bhagyanagar India Limited vs Govt. of Telangana, TSSPDCL, TSTRANSCO
and Officers

Petition filed questioning the action of the licensees in demanding payment of wheeling charges contrary to the tariff order dated 09.05.2014 of erstwhile APERC.

Sri. P. V. Durga Prasad, Manager (Legal) representing petitioner and Sri. Y. Rama Rao, Counsel for the Respondents alongwith Mr. Pravalika, Advocate are present. The representative of the petitioner stated that the petitioner has got the relief as prayed in the petition and amounts due to them have already been refunded by the licensee. Therefore, the present petition may be dismissed as withdrawn. The representative has also filed a memo upon the directions by the Commission. The standing counsel for the respondents has no objection to it. Accordingly, the petition is dismissed as withdrawn.

Sd/-
Member

Sd/-
Chairman

R. P. No. 7 of 2015

&

I. A. No. 15 of 2015

In

O. P. No. 13 / 2012

M/s. Axis Energy Venture (India) Pvt. Ltd., & its subsidiaries Vs Indian Wind Energy Association, TSDISCOMs, APDISCOMs & Rayala Wind Power Co. Pvt. Ltd. (Implead petitioner)

Petition filed seeking to review the order dated 15.11.2012 passed in O. P. No. 13 of 2012, on the file of the erstwhile APERC.

I A filed for impleading the petitioner therein as respondent to the R.P.

Smt. Rajeshwari, Asst. General Manager (Legal) representing for review petitioner and Sri. Y. Rama Rao, Standing counsel for the respondents alongwith Ms. Pravalika, Advocate are present.

The representative of the review petitioner has requested the Commission to adjourn the case to any other date by giving at least four weeks time. She stated that the policy to be issued by the government is under process and likely to be available in short time. She also stated that she requires further time to place certain details as required by the Commission in the earlier hearing in O. P. No. 34 of 2015.

The Commission pointed out that the petitioner has to show how the petition for review by the petitioner is maintainable, details of the projects established by the review petitioner, which are under implementation in the State of Telangana and the need for determining preferential tariff in terms of CERC regulation, when in fact the National Tariff Policy of 2016 provides for procurement of power of renewable energy sources except solid waste in competitive bidding route.

Considering that the several aspects of information is sought by us, no date is fixed and the same will be intimated in due course.

Sd/-
Member

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Chairman