

Record of proceedings dated 04.11.2015

O. P. No.1 of 2015

Garrison Engineer MES, AFS, Hakimpet vs TSSPDCL

Petition seeking deemed distribution licence

Sri B. Krishna Mohan, Advocate and Central Government Standing Counsel along with Sri. Sajid Haran. D, AGEE / M of the petitioner, Sri. Y. Rama Rao, Counsel for the respondent along with Sri J.Ashwini Kumar, Advocate are present. Counsel for the petitioner submitted arguments and the representative of the Garrison Engineer has explained the need for treating it as deemed licensee. The counsel for the respondent stated that the procedure set out in the Act, 2003 is required to be followed as well as the conditions have to be stipulated by the Commission, since, the Ministry of Defence is stated as deemed licensee, individual units cannot be declared as deemed licensees. To a particular question as to how many units are in the state, it has been replied that there are about six units of Garrison Engineer pertaining to Military Engineering Services.

The Commission having heard the arguments, reserved its orders on the petition.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 8 of 2015

Garrison Engineer MES, AFS, Dundigal vs TSSPDCL

Petition seeking deemed distribution licence

Sri B. Krishna Mohan, Advocate and Central Government Standing Counsel along with Sri. R. N. Yadav representative of the petitioner, Sri. Y. Rama Rao, Counsel for the respondent along with Sri J.Ashwini Kumar, Advocate are present. Counsel for the petitioner submitted arguments and the representative of the Garrison Engineer has explained the need for treating it as deemed licensee. The counsel for the respondent stated that the procedure set out in the Act, 2003 is required to be followed as well as the conditions have to be stipulated by the Commission, since, the Ministry of Defence is stated as deemed licensee, individual units cannot be declared as deemed licensees. To a particular question as to how many units are in the state, it has been

replied that there are about six units of Garrison Engineer pertaining to Military Engineering Services.

The Commission having heard the arguments reserved its orders on the petition.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 2 of 2015

M/s. ITC Limited vs TNREDC

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

Sri. N. Alagiri, Senior Manager (Projects) being representative for the petitioner and for Sri. Y. Rama Rao, Counsel for the respondent along with Sri. J. Ashwini Kumar, Advocate are present. Though notice has been sent to TSNREDCL none appeared on its behalf. The representative of the petitioner made submissions on the issue. The counsel for the DISCOM and the representative of the SLDC have categorically stated that the SLDC has sought clarification from the CERC on the parameters to be accepted in the respect of petitioners project. As soon as a reply is received, the case of the petitioner will be considered. They required 4 weeks of time to get the clarification as it is under consideration before the CERC, since CERC had issued the regulation and guidelines earlier.

The Commission directed the SLDC to obtain the clarification expeditiously and report by next date of hearing as to whether it is inclined to give accreditation to the petitioner's project under RE mechanism. The hearing is adjourned.

Sd/-
Member

Sd/-
Member

Call on 07.12.2015
At 11.00 AM
Sd/-
Chairman

O. P. No.3 of 2015

M/s. Geo Syndicate Power Pvt. Ltd. vs TSNPDCL

Petition seeking determination of tariff for the supply of electricity generated from geothermal energy to respondent (APNPDCL now TSNPDCL) pursuant to Section 62, 64, 86.1 (a), 86.1 (b) and other applicable provisions of the Electricity Act, 2003.

Shri. G. Kuleswara Reddy, Advocate on behalf of Sri. Hanmanth Reddy, Counsel for the petitioner and Sri. Y. Rama Rao, Counsel for the respondents along with Sri. J. Ashwini Kumar, Advocate are present. The counsel for the petitioner filed a memo stating that the Commission had listened to a presentation by the petitioner's representatives on 03.11.2015. During the discussion time was sought for 4 weeks on details sought by the Commission. Therefore, the matter may be adjourned by 4 weeks. The Counsel for the respondents agreed with the submissions of the petitioner.

The Commission adjourned the hearing without any date and informed the counsel that the date of hearing will be intimated after receipt of the information and consideration of the same by the Commission.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 5 of 2015
And
I. A. No. 27 of 2015

1. M/s Knowledge Infrastructure Systems Pvt. Ltd. 2. M/s Shalivahana (MSW)
Green Energy Ltd. vs TSSPDCL & TSPCC

Petition filed u/s 86 (1) (f) of the Electricity Act, 2003 claiming certain amounts due on account of supply of electricity under short term purchase for the months January, February and March, 2013.

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

Sri. Challa Gunaranjan, Counsel for the petitioner and for Sri. Y. Rama Rao, Standing Counsel for respondents along with Sri. J. Ashwini Kumar, Advocate are present. The Counsel for the petitioner narrated the facts and submitted his arguments. The counsel for respondent stated that the counter affidavit has been filed.

From the submissions, the Commission has noticed that there are two issues that arise for consideration in the matter. One issue is relating interim balancing and settlement code and other is relating to payment of the amount due to the trader.

The Commission having regard to the request of the counsel directed the respondents to make sure a settlement is made regarding payment and effect payment of the amounts and report compliance by the next date of hearing. Adjourned.

Sd/-
Member

Sd/-
Member

Call on 07.12.2015
At 11.00 AM
Sd/-
Chairman

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

M/s. Rithwik Power Projects Ltd. 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 petition.

Sri. Challa Gunaranjan, Counsel for the petitioner and Sri. Y. Rama Rao, Standing Counsel for respondents along with Sri. J. Ashwini Kumar, Advocate are present. The Counsel for the petitioner has submitted arguments and required determination of tariff for the 1.5 MW since the licensees are not complying with the requirement of procuring required quantity of renewable energy as per regulation No. 1 of 2012. The Counsel for the respondents stated that the PPA entered earlier by the petitioner is only for 6 MW and the additional capacity though sanctioned by the TSNREDCL cannot be considered and fresh PPA has to be entered into. The tariff cannot be piece meal determination for different capacities.

The Commission having regard to the submissions directed the petitioner into fresh PPA for the total capacity and request for tariff determination, which will be considered by the Commission. Adjourned the hearing.

Sd/-
Member

Sd/-
Member

Call on 07.12.2015
At 11.00 AM
Sd/-
Chairman

O. P. No. 7 of 2015
And
I. A. No. 29 of 2015

M/s. Shalivahana (MSW) Green Energy Ltd. vs TSLDC

Petition filed questioning the refusal of grant of accreditation for the 12 MW MSW project under RPPO Regulation.

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

Sri. Challa Gunaranjan, Counsel for the petitioner Sri. Y. Rama Rao, Standing Counsel for respondents along with Sri. J. Ashwini Kumar, Advocate are present. The Counsel for the petitioner stated that the petitioner is seeking accreditation under RPPO for is project. Similar case had been allowed by the APERC and upon appeal by the SLDC the ATE has dismissed such appeal. Thus the SLDC is bound to give accreditation to the petitioner. The counsel for the respondent sought time to verify the position with regard to this particular case in the light of the order of Hon'ble ATE and report.

The Commission having regard to the submissions of the counsel directed the respondents to report and action proposed in the matter by the next date of hearing. Adjourned.

Sd/-
Member

Sd/-
Member

Call on 23.11.2015
At 11.00 AM
Sd/-
Chairman

O. P. No. 14 of 2015

M/s. Arhyama Solar Power Pvt. Ltd. Vs Govt. of Telangana, TSSPDCL, TSTRANSCO and Officers

Petition seeking the levy of transmission and wheeling charges as determined by erstwhile APERC vide order dated 09.05.2014 contrary to government policy as adopted by the APERC

Sri. S.Vamsi Krishna, Manager (Liasion) for the petitioner and Sri. Y. Rama Rao counsel for the respondents along with Sri. J. Ashwin Kumar, Advocate are present. The representative of the petitioner stated that the counsel is unable attend hearing due to the reason of suffering an accident, therefore sought time for making submissions in the matter. The counsel for the respondent also has no objection but has pointed out that the counsel for the petitioner was not present on the last two occasions.

The Commission adjourning the hearing based on specific reason of the counsel for the petitioner being unable to attend hearing but made it clear that the Commission will be proceeding with the matter even in the absence of the petitioner or its counsel.

Call on 23.11.2015

At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No. 51 of 2015

And

I. A. No. 25 of 2015

M/s. Nile Ltd vs APCPDCL, TSSPDCL & TSNPDCL

Petition seeking directions for payment on the monthly power bills

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

Sri. Challa Gunaranjan, Counsel for the petitioner and for Sri. Y. Rama Rao, Standing Counsel for respondents along with Sri. J. Ashwini Kumar, Advocate are present. The Counsel for the petitioner stated that the petitioner is a wind project presently located in state of Andhra Pradesh and this petition is relating to claim of amounts due to it power supplied in the year 2012 and payment directed by the Commission. Thus it involves jurisdiction issues. The counsel for respondent is in agreement with the submission.

The Commission is yet to decide the issue of jurisdiction, therefore, the matter is adjourned without any date.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No 74 of 2015

And

I. A. No. 24 of 2015

M/s Hetero Wind Power Ltd. vs TSTRANSCO, APTRANSCO & TSSPDCL

Petition seeking execution of tariff order dated 09.05.2014 with regard to exemption of transmission & wheeling charges for the petitioner's wind project

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

Sri. N. Srirama Chandra Murthy, Consultant for the petitioner and Sri. Y. Rama Rao, Counsel for the respondents along with Sri. J. Ashwini Kumar, Advocate are present. The representatives of the petitioner as sought adjournment as the counsel is out of station. The counsel for the respondent stated that amendment petition filed by the petitioner can be disposed of and the respondents have no objection for the same. The issue raised in the petition is connected with a review petition filed by the TSTRANSCO. Depending on the result of the review petition only, the present petition can be decided.

The Commission having regard to the submissions of the counsel for the respondent adjourned the matter.

		Call on 23.11.2015
		At 11.00 AM
Sd/-	Sd/-	Sd/-
Member	Member	Chairman

R.P. (SR) No. 1 of 2015

M/s Telangana State Transmission Corporation Ltd. vs Nil

Petition to review tariff for transmission charges for the control period 2014-2019 by order dated 09.05.2014

Sri Y. Rama Rao, Counsel for the petitioner along with Sri J. Ashwini Kumar, Advocate are present for the petitioner. The counsel for the petitioner stated that the review petition is filed for reviewing the order passed by erstwhile APERC on 09.05.2014 determining the tariff for transmission for the control period 2014-2019. This petition has a bearing on some of the petitions pending before the Commission.

The Commission pointed out despite direction from the Commission the transmission licensee did not file revised application for the control period 2015 – 2019 in the revised scenario of bifurcation of the state.

However, the petition is admitted. Office is directed to number the same and call for necessary data / information required for undertaking review of the order.

		Call on 23.11.2015
		At 11.00 AM
Sd/-	Sd/-	Sd/-
Member	Member	Chairman

O. P. No 82 of 2015

M/s Pragathi Group vs TSSPDCL & TSTRANSCO

Petition seeking to question the action of levying wheeling and transmission charges by licensees along with other issues.

Sri. Venkat, representative of the petitioner and Sri. Y. Rama Rao, Counsel for respondent along with Sri. J. Ashwini Kumar, Advocate are present. The representative of the petitioner stated about the case and also brought to the notice of the Commission that banking of energy in respect of period between synchronisation of the solar plant has not been considered and no amount is paid or the said units were not allowed for third party sale. There is also a delay in balancing and settlement post grant of open access. The counsel for the respondents stated that the banking energy is allowed only after permission is accorded for open access and the units supplied from synchronisation are not considered for banking. To a pertinent question to the officers of SLDC who were present in the hearing as to whether they are having any details of the units supplied by the petitioner in the period mentioned by it, they sought time to verify the same and place before the Commission the relevant information through the counsel.

The Commission noted the number of units supplied in the interregnum period have to be certified by the SLDC. Since SLDC is not a party any calculations shown by TRANSCO / DISCOM are not relevant for the present case. Therefore, petitioner is directed to implead the SLDC also as a party respondent to the case. Adjourned.

Call on 23.11.2015

At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No 83 of 2015

M/s Lanco Kondapalli Power Ltd. vs TSPCC, TSSPDCL & TSNPDCL

Petition seeking to question of non-payment of supplementary bills by the licensees.

Sri. Challa Gunaranjan, Counsel for the petitioner and Sri. Y. Rama Rao, Counsel for respondents along with Sri. J. Ashwini Kumar, Advocate are present. The counsel for the petitioner stated that the petition involves the issue of jurisdiction of the

Commission and is required to be adjourned. The counsel for the respondent agrees with the submission of counsel for the petitioner. Adjourned without date till the issue of jurisdiction is decided.

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No 88 of 2015

Exhibition Society vs Nil

Application filed for exemption from license under Section 13 of Electricity Act, 2003.

There is no representation on the behalf of the petitioner. However, as the issue needs some examination only after submissions by the petitioner, adjourned.

Call on 23.11.2015

At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

O. P. No 89 of 2015

M/s Bhagyanagar India Ltd. vs Govt. of Telangana, TSSPDCL & TSTRANSCO

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.

Smt. Manminder Kaur, representative for the petitioner and Sri. Y. Rama Rao counsel for the respondents along with Sri. J. Ashwin Kumar, Advocate are present. The representative of the petitioner stated that the counsel is unable attend hearing due to the reason of suffering an accident, therefore sought time for making submissions in the matter. The counsel for the respondent also has no objection but has pointed out that the counsel for the petitioner was not present on the last occasion. He also stated that the respondents will be filing the counter affidavit in the matter today itself.

The Commission adjourning the hearing based on specific reason of the counsel for the petitioner being unable to attend hearing but made it clear that the Commission will be proceeding with the matter even in the absence of the petitioner or its counsel.

Call on 23.11.2015

At 11.00 AM

Sd/-
Member

Sd/-
Member

Sd/-
Chairman

R. P. (SR) No 42 of 2015
And
I. A. (SR) Nos. 51 and 52 of 2015

M/s Suguna Metals Ltd. vs TSNPDCL & TSSPDCL

Petition filed seeking review of the tariff order dated 27.03.2015 in OP Nos. 76 and 77 of 2015 in respect of voltage surcharge (SR No. 42 of 2015)

Petition filed for interim orders pending disposal of the review petition (SR No. 51 of 2015)

Petition filed for condoning the delay of 34 days in filing the review petition (SR No. 52 of 2015)

Sri Pavan Kumar, representative of Sri. N. Vinesh Raj, Counsel for the petitioner and Sri. Y. Rama Rao, Counsel for the respondents along with Sri. J. Ashwini Kumar, Advocate are present. The representative of the petitioner sought adjournment stating that the counsel for the petitioner is out of station.

However, in order to facilitate calling for information on the review petition, the review petition is admitted and adjourned for hearing.

Sd/-
Member

Sd/-
Member

Call on 07.12.2015
At 11.00 AM
Sd/-
Chairman