

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

DATE OF HEARING: 28.5.2019

Diary No.1554 in O.P. No. 70/2012

Subject : Petition for proposed amendments of MIs GMR Vemagiri Power Generation Limited as per the APERC orders dated 5.12.2009 to the amended Agreement to the Power Purchase Agreement dated 2-5-2007 and 18.6.2003 and request for consent filed along with annexures and order passed by APERC dated 30.12.2006 in O.P. No. 19 of 2006.

Petitioners : Central Power Distribution Company of AP Ltd. and Others

Respondent : GMR Vemagiri Power Generation Limited

Diary No.1555 in O.P. No. 71/2012

Subject : Petition under Section 86(1) (b) of the Electricity Act, 2003 seeking consent of the Commission.

Petitioner : GMR Vemagiri Power Generation Limited

Respondents : Central Power Distribution Company of A.P. Ltd. and Others

Diary No.1556 in O.P. No. 72/2012

Subject : Petition under Section 86 (1) (f) of the Electricity Act, 2003 for a direction to the respondents to pay additional fixed charges of Rs.0.439 Ps KWH for the balance period of the PPA.

Petitioner : GMR Vemagiri Power Generation Limited

Respondents : Central Power Distribution Company of A.P Ltd. and Others

Diary No.1559 in O.P. No. 58/2013

Subject :Petition under Section 86(1) (f) of the Electricity Act, 2003 read with Regulations 8(1) and 55(1) of the A.P. Electricity Regulatory Commission (Business Rules of the Commission) Regulations, 1999 for adjudication of disputes under the Power Purchase Agreement dated 31.3.1997 as amended on 18.6.2003 and 2.5.2007 (Declaration that respondents are liable to refund the capacity charges deducted from monthly invoices of the Petitioner from 9.10.2012 onwards amounting to Rs. 121.62 Cr. and for award of interest till payment) alongwith an application under Section 94 (2) of the Electricity Act, 2003 read with Clause 55 of the APERC Business Regulations, 1999.

Petitioner : GMR Vemagiri Power Generation Limited



Respondents : Andhra Pradesh Power Coordination Committee and Others

Diary No.1568 in O.P. No. 12/2013

Subject : Petition under Section 86(1)(f) of the Electricity Act, 2003 in relation to reimbursement of minimum fuel off-take charges and other fuel transportation charges.

Petitioner : GMR Vemagiri Power Generation Limited

Respondents : Andhra Pradesh Power Coordination Committee and Others

Diary No.1569 in O.P. No. 40/2014 alongwith I.A No. 25/2015

Subject : Petition under Section 86(1)(f) of the Electricity Act, 2003 for recovery of compensation deducted from BALCO purportedly towards non-supply of power.

Petitioner : Bharat Aluminums Company Ltd.

Respondents : PTC India Ltd. and Others

Diary No.1570 in O.P. No. 12/2014

Subject : Petition under Section 86(1)(f) of the Electricity Act, 2003 and APERC (Business Rules) Regulations, 1999 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 and also filed Interlocutory Application u/s 94(2) of the Electricity Act, 2003 and APERC (Conduct of Business) Regulations, 1999 for restraining the respondents from deducting the capacity charges.

Petitioner : Reliance Infrastructure Limited

Respondents : Central Power Distribution Company of AP Ltd. and Others

Diary No.1571 in O.P. No. 79/2012

Subject : Petition under Section 86(1)(f) of the Electricity Act, 2003 read with Regulation 2 of APERC (Conduct of Business) Regulation, 1999 as amended from time to time as regards the unauthorized deductions made by the respondents from the bills payable to the petitioner seeking to restrain the DISCOMs from deducting from the monthly bill amounts towards discount on deemed generation.

Petitioner : Reliance Infrastructure Limited

Respondents : Central Power Distribution Company of Andhra Pradesh Ltd & Ors.

Diary No. 1572 in O.P. No. 6/2017

Subject : Petition under Section 86(1)(f) of the Electricity Act, 2003 to direct the respondent No.1 to pay the energy consumed by them towards auxiliary consumption to their 220 MW project at Samalkot, East Godavari District at HT – 1 scheduled tariff.

Petitioners : Southern Power Distribution Company of AP Ltd. and Others

Respondents : Reliance Infrastructure Ltd. and Others

Coram : Shri P.K. Pujari, Chairperson
Dr. M.K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Hemant Singh, Advocate, BALCO
Shri Nishant Kumar, Advocate, BALCO
Shri Sandeep Rajpurohit, Advocate, GMR
Shri Yogesh Anand, GMR
Shri Rakesh K. Sharma, Advocate, AP & Telangana Discoms
Shri Nishant, Advocate, AP & Telangana Discoms
Shri Sri Harsha Pareecha, Advocate, Telangana Discoms
Shri Ravi Kishore, Advocate, PTC India
Ms. Atipra Aich, Advocate, PTC India

Record of Proceedings

Learned counsel appearing on behalf of GMR Vemagiri Power Generation Limited (GMR) submitted that AP Discoms have filed SLP(C) No. 8016 of 2019 before the Hon'ble Supreme Court against the judgment dated 31.12.2018 and the Hon'ble Supreme Court vide its interim order dated 8.4.2019 has directed to maintain the status quo till the further hearing. Therefore, learned counsel requested to keep the present Petitions pending till the final decision of the Hon'ble Supreme Court.

2. Learned counsel for AP and Telangana Discoms requested for time to file its reply along with the status of the impugned order of the Hon'ble Supreme Court.

3. After hearing the learned counsels for the parties, the Commission directed to list the Petitions for hearing in due course for which separate notice shall be issued to the parties.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**