

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the matter of:

Application seeking recovery of claim in respect of Deemed Generation under Section 44 (A) of the UERC (Tariff and Other Terms for Supply of Electricity from Non-conventional and Renewable Energy Sources) Regulations, 2012 and as amended by UERC's Tariff Regulations of 2013, in accordance with Section 181 of the Electricity Act, 2003.

AND

In the matter of:

M/s Himalaya Hydro Pvt. Ltd.

... Petitioner

AND

Uttarakhand Power Corporation Ltd.

... Respondent No. 1

Power Transmission Corporation of Uttarakhand Ltd.

... Respondent No. 2

CORAM

Shri C.S. Sharma Member-Chairman

Shri K.P. Singh Member

Date of Hearing: May 05, 2014

Date of Order: May 06, 2014

Heard the Petitioner and the Respondents.

It is ordered that:

- (a) The petition may be admitted.
- (b) The Petitioner is directed to cure the defects pointed out by UPCL in its written submission within 3 days of the date of Order under intimation to Respondent No. 1.
- (c) Respondent No. 1 is directed to make written submissions stating for each instance of outage the reasons for claiming force-majeure ensuring that all such claims are

consistent with the stipulations provided in the Regulations relating to force-majeure. The Respondent No. 1 is also given leave to make such additional submissions which they intend to use to refute claims of Petitioner alongwith an advance copy to the Petitioner within 15 days of this order.

(d) The next date of hearing is fixed on 27.05.2014 at 11.30 AM.

(K.P. Singh)
Member

(C.S. Sharma)
Member-Chairman