

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

Petition No. 23 of 2014

In the matter of:

Petition seeking amendments in the PPA dated 30.11.2010 executed between Birahi Ganga Hydro Power Ltd. and UPCL in accordance with the provisions of UERC (Tariff and Other Terms for Supply of Electricity from Non-conventional and Renewable Energy Sources) Regulations, 2010, Removal of Difficulty (First) Order, 2010 and CERC (Terms and Conditions of Tariff) Regulations, 2014.

In the matter of:

M/s Birahi Ganga Hydro Power Ltd. ... Petitioner
AND
Uttarakhand Power Corporation Ltd. ... Respondent
AND

Petition No. 21 of 2014

In the matter of:

Application seeking approval of UERC on the Power Purchase Agreement between UPCL & 11 nos. generators.

In the matter of:

Uttarakhand Power Corporation Ltd. ... Petitioner
AND
1. M/s Metro Frozen Fruits & Vegetables Pvt. Ltd ... Respondents
2. M/s Birahi Ganga Hydro Power Ltd.
3. M/s Gunsola Hydro Power Generation (Pvt.) Ltd.
4. M/s Chamoli Hydro Power Pvt. Ltd.
5. M/s Swasti Power Ltd.
6. M/s Rai Bhadur Narain Singh Sugar Mills Ltd.
7. M/s Rishiganga Power Corporation Ltd.
8. M/s RV Akash Ganga Infrastructure Ltd.
9. M/s Uttam Sugar Mills Ltd.
10. M/s Lakshmi Sugar Mills Co. Ltd.
11. M/s Jay Ace Technologies Ltd.

CORAM

Shri C.S. Sharma Member-Chairman

Shri K.P. Singh Member

Date of Hearing: October 13, 2014

Date of Order: October 13, 2014

Heard the Petitioner and Respondents in the matter. Inordinate and unjustified delay is observed on the part of Petitioner in seeking approval of the Power Purchase Agreements (PPAs) executed by it

with the generators. The Petitioner has only come up for approval after absence of approval was pointed out to them. The Petitioner is cautioned to ensure strict compliance of relevant regulations in this regard in future to avoid punitive action.

It is ordered:-

- (a) UPCL to ensure compliance of the UERC (Conduct of Business) Regulations, 2004 and Regulation 7 (3) of RE Regulations, 2013 which read together require the distribution licensee to seek approval of the draft Power Purchase Agreements that it proposes to enter into.
- (b) UPCL to submit the balance PPAs which have yet not been approved latest by 27.10.2014.
- (c) Respondent no. 1 in Petition no. 21 of 2014 raised the issue of evacuation problems encountered by it and also referred to the directions issued by the Commission to UPCL's field officers during the visit on 13.08.2014. In this regard, the Commission directs Respondent no. 1 to submit the status of the evacuation system subsequent to the visit of the Commission within a week from the date of order. The Commission also directs UPCL to submit its written submission on the issue within 15 days of the date of order.
- (d) UPCL and the respondents are given one final opportunity to make further additional submissions, if any, in the matter latest by 21.10.2014.

Reserved for orders.

(K.P. Singh)
Member

(C.S. Sharma)
Member-Chairman