

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the matter of:

Dispute between UJVN Ltd. and Uttarakhand Power Corporation Limited (UPCL) relating to payments.

And

In the matter of:

Managing Director, UJVN Ltd.,Petitioner
"UJJWAL", Maharani Bagh, G.M.S. Road, Dehradun

&

Managing Director, Uttarakhand Power Corporation Limited (UPCL) Respondent
Victoria Cross Vijeta Gabar Singh Bhawan, Kanwali Road, Dehradun

Coram

Shri Subhash Kumar	Chairman
Shri C.S. Sharma	Member
Shri K.P. Singh	Member

Date of Hearing: January 09, 2015

Date of Order: January 09, 2015

Heard the Petitioner and Respondent on the following issues raised by the Petitioner in its Petition:

1. Payment of arrears on account of tariff revision vide various tariff orders of the Commission.
2. Payment of income tax in line with UERC (Terms & Conditions for determination of Hydro generation Tariff) Regulations, 2004.
3. Payment of Cess and Royalty as per notifications issued by Government of Uttarakhand .
4. Payment of Capacity Charges, capacity Index Incentive, and Deemed generation Charge in line with UERC (Terms & Conditions for determination of Hydro generation Tariff) Regulations, 2004.

Based on the submissions made by the Petitioner and the Respondent during the hearing, the Commission directs:

- a. The Petitioner should submit under affidavit latest by 20.01.2015 his views on proposal of Respondent to pay to the Petitioner towards **arrears on account of tariff revision** in 36 installments.
- b. The Respondent to finalize the claims of the Petitioner towards **Income Tax** for past years and submit as to how he proposes to pay to the Petitioner the amount so finalised by 31.01.2015.
- c. The Petitioner to submit under affidavit by 20.01.2015 that there has been no instance of mis-declaration for the declared capacity for past years on its part and that the **Capacity Charges and Capacity Index Incentive** have been claimed by it as per the declared schedule and thereafter, Respondent to finalise the claim of the Petitioner and also submit the proposal as to how this amount would be paid by 31.01.2015.
- d. On the issue of payment of **Cess and Royalty** as also on the issue of interest claimed by the Petitioner, a view would be taken by the Commission after consulting the Energy Department, Govt. of Uttarakhand.

As an interim measure, Ordered that atleast an amount of ₹15.00 Crore be paid by the Respondent to the Petitioner on or before 07.02.2015.

(K.P. Singh)
Member

(C.S. Sharma)
Member

(Subhash Kumar)
Chairman