

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the matter of:

Petition under Section 62 & Section 86(1)(a) of the Electricity Act, 2003, read with the UERC (Terms & Conditions for Determination of Tariff) Regulations, 2011 and UERC (Terms & Conditions for Determination of Multi Year Tariff) Regulations, 2015 for determination of tariff for FY 2015- 16 & for the control period from FY 2016-17 till FY 2018-19 for supply of power to UPCL from 214 MW Gas based Kashipur Combined Cycle Power Plant of Gama Infraprop Pvt. Ltd. At Mahukhedaganj, Kashipur, Dist. Udham Singh Nagar.

In the matter of:

M/s Gamma Infraprop (P) Ltd.

... Petitioner

AND

Uttarakhand Power Corporation Ltd.

... Respondent No. 1

Power Transmission Corporation of Uttarakhand Ltd.

... Respondent No. 2

CORAM

Shri Subhash Kumar Chairman

Shri C.S. Sharma Member

Shri K.P. Singh Member

Date of Hearing: January 08, 2016

Date of Order: January 08, 2016

Heard the Petitioner and the Respondent in the matter. The Respondent requested the Commission to allow adjournment of the hearing on the ground that it had to examine the terms and conditions of the PPA alongwith the tariff petition which would require further time. Based on the draft PPA submitted by UPCL, the Petitioner executed an e-Bid RLNG Supply Agreement with GAIL (e-RSA) on 21.12.2015 which has huge financial implications on the Petitioner in the event of failure to off-take gas as committed. The Respondent's approach to this serious matter of long term power purchase appears to be frivolous. They neither did due diligence before

submission of petition nor after issuance of notice. Their present request for extension is not accepted in view of imminent commissioning of Petitioner's plant.

The petition relating to approval of the PPA has since been admitted, the Commission rejects UPCL's request seeking adjournment of the hearing and decides to admit the tariff petition filed by the Petitioner.

On the request of the Petitioner for grant of provisional tariff as their generating plant is due for commissioning, the Respondent sought a fresh hearing. Given the short time available, plea of a fresh hearing is not accepted. The Commission, however, allows the Respondent to furnish their written submission on or before 12.01.2016 in the matter of provisional tariff. They are also directed to issue Letter of Intent to the Petitioner for procurement of power from 20.01.2016, latest by 15.01.2016 in accordance with the format provided at Annexure-1 of the PSDF support Agreement executed by the Petitioner with MoP, GoI.

The Petitioner is required to submit the following by 12.01.2016:

- (a) Basis of arriving at a station heat rate of 1925 Kcal/kWh.
- (b) Basis of allocating the station assets amongst 107 MW proposed for sale to UPCL and balance 107 MW.

The Gas Supply Agreement submitted by the Petitioner be taken on record.

Ordered accordingly.

(K.P. Singh)
Member

(C.S. Sharma)
Member

(Subhash Kumar)
Chairman