

Before

UTTARANCHAL ELECTRICITY REGULATORY COMMISSION

Case No. **Misc. Application No. 51/2004 dated 26.03.2004**

In the matter of:

Wrong application of electricity tariff by UPCL to Defence Bulk Consumers.

In the matter of:

Commander Works Engineer (Hills)
Military Engineer Services
Mall Road, Dehradun Cantt.

.....Petitioner

Uttaranchal Power Corporation Ltd.
Urja Bhawan, Kanwali Road,
Dehradun

.....Respondent

Coram

Sri Divakar Dev Chairman

Date of Order 25th October 2004

INTERIM ORDER

The petition was filed on 26.03.2004 by Commander Work Engineer (Hills) Dehradun stating that the tariff being charged by Uttaranchal Power Corporation Ltd. (UPCL), the distribution licensee for the electricity in the State, was at variance with the tariff approved by the Commission in its order dated 08.09.2003. While the matter was still being heard a clarification was issued by Government of India, Ministry of Power on 26.07.2004 stating that in accordance with the provisions of the Electricity Act, 2003, MES will be deemed to be a licensee but would not be required to obtain a licence. The

original petition was filed by MES as a bulk consumer of electricity in the State and tariff for such consumers is determined by the Commission. After Government of India's clarification, the petitioner is to be treated as a deemed licensee and in that capacity the petitioner is required to enter into suitable arrangements for purchase of electricity from another licensee like UPCL or any other source and the terms of such power purchase are to be mutually settled and incorporated in the Power Purchase Agreement. The Power Purchase Agreement so finalized is then to be got approved from the Commission. If the petitioner who is a deemed licensee desires to continue purchase of power from UPCL, the distribution licensee, the two parties should settle the terms of such sale and file the same before the Commission for approval. To ensure that there is no hindrance in supply of electricity to petitioners consumers who are defence establishments and personnel, the petitioner and UPCL are hereby directed to discuss and mutually settle the terms of supply of electricity within a period of 30 days of this order and file the same before the Commission.

Date : 25-10-2004

**Divakar Dev
Chairman**