

**Before**

**UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**

**In the matter of:**

Application in pursuance to Show-Cause notice no. UERC/6/TF-142/12-13/2013/1720 dated March 12, 2013.

**And**

**In the matter of:**

Declaring the Petitioner Company being captive user as Cogeneration outside the purview of the "Obligated Entity" as defined under UERC (Compliance of Renewable Purchase Obligation) Regulations, 2010.

**In the matter of:**

M/s Birla Tyres Kesoram Industries

...Petitioner

**Versus**

Uttarakhand Renewable Energy Development Agency

...Respondent

**Coram**

**Shri Jag Mohan Lal      Chairman**

**Shri C.S. Sharma      Member**

**Shri K.P. Singh      Member**

**Date of Order : July 8, 2013**

**ORDER**

This Order relates to the Petition filed by M/s Birla Tyres Kesoram Industries, hereinafter referred to as the Petitioner, on 17.05.2013 in the matter of "reply in pursuance to Show-Cause notice no. UERC/6/TF-142/12-13/2013/1720 dated March 12, 2013" and in the matter of "declaring the petitioner Company, being captive user

having two co-generation plant of 7.5 MW each, based on conventional & non-conventional fuel, outside the purview of the “Obligated Entity” as defined under UERC (Compliance of Renewable Purchase Obligation) Regulations, 2010”. A hearing was held by the Commission on 01.07.2013 in the matter.

2. During the course of the hearing, the Petitioner was asked to submit as to why it intended to be declared outside the purview of obligated entity when it is already using power generated from its bagasse based co-generation plant which is much more than the obligation stipulated in the UERC (Tariff and Other Terms for Supply of Electricity from Renewable Energy Sources and non-fossil fuel based Co-generating Stations) Regulations, 2010. The Petitioner instead of submitting its reply on this issue placed its reliance on the Hon’ble ATE’s Order dated 26.04.2010 in Appeal no. 57 of 2009 & Order dated 10.04.2013 in Appeal no. 125 of 2012.
3. The Commission after hearing the Petitioner, orders that the Petition may be admitted for further processing and that notice be issued to Respondent to file their views on the petition.

**(K.P. Singh)**  
Member

**(C.S. Sharma)**  
Member

**(Jag Mohan Lal)**  
Chairman