

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

In the matter of:

Application for determination of ARR/Tariff for the FY 05-06 and FY 06-07 by M/s NPCL submitted under section 124 of UPERC (Conduct of Business) Regulations 2000 and Section 21 of Uttar Pradesh Electricity Regulatory Commission (General Conditions of Distribution License) Regulation, 2004, on 30th December 2005.

And

In the matter of:

Noida Power Company Limited, Noida.

ORDER

In compliance to the Commission's order dated 31st October 2005, M/s Noida Power Company Limited (NPCL) submitted the consolidated petition for determination of its Annual Revenue Requirement and Bulk Supply Tariff for the FY 2005-06 and FY 2006-07 under Section 124 of UPERC (Conduct of Business) Regulations 2000 and Section 21 of Uttar Pradesh Electricity Regulatory Commission (General Conditions of Distribution License) Regulation, 2004, on 30th December 2005.

It is pertinent to mention here that the ARR/Tariff filings by the transmission and distribution licensees within the State of Uttar Pradesh have interlinked issues, more so in view of uniformity of retail tariff till allocation of PPAs to distribution companies by the State Government, as provided in the Tariff Policy issued by the Central Government. Further, all the distribution licensees in the state, including NPCL, have also consented to the policy of uniform retail tariff across the State. The ARR/Tariff petitions, filed by different licensees in the State, therefore have to be processed together by the Commission. Processing of NPCL's consolidated ARR/Tariff petition for the FY 2005-06 and FY 2006-07, therefore, was held up in absence of ARR/Tariff filings by UPPCL Transco and

the other distribution licensees within the State, for the period under consideration.

Subsequently, after the submission of ARR/Tariff petitions by the UPPCL Transco and the other distribution companies, the petition of NPCL was scrutinized and a detailed deficiency note based on information/data gaps in the application was served on NPCL. In response the licensee has submitted most of the data as required by the Commission. The Commission finds the submissions by NPCL to be satisfactory for the admittance of the petition.

It is also relevant to mention here that the Commission had in its order dated 13th October, 2006, flagged the issue of filing of ARR/Tariff petitions under relevant sections of the prevalent law i.e. Electricity Act 2003 and the UP Electricity Reforms Act 1999, still the petition for determination of its Annual Revenue Requirement (ARR) and Bulk Supply Tariff for the FY 2005-06 and FY 2006-07 has been filed under Section 124 of UPERC (Conduct of Business) Regulations 2000 and section 21 of Uttar Pradesh Electricity Regulatory Commission (General Conditions of Distribution License) Regulation, 2004. The Commission therefore while admitting the consolidated ARR/Tariff petitions for the FY 2005-06 and FY 2006-07 under Section 64, read with Section 86 of the Electricity Act 2003, directs M/s NPCL to take note of this point.

M/s NPCL is further directed to publish a public notice detailing the salient information and facts of the ARR petition in at least two daily newspapers (one Hindi and one English) widely circulated in its area of operation within seven days of receipt of this order. M/s NPCL shall also furnish a copy of the above petition to UPPCL/UP Power Transmission Corporation Limited and the State Government.

(R.D. Gupta)
Member

(Vijoy Kumar)
Chairman

Place: Lucknow
Dated: 15th December 2006