



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2130 of 2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Regulation 20(2)(ii) of the UPERC (Terms and Conditions for Generation Tariff) Regulations, 2019 read with Article 13 of the long-term Power Purchase Agreement dated 26.09.2014 entered into between the Petitioner and the Respondent, Noida Power Company Limited, seeking an approval of the additional Capital Expenditure incurred on account of installation of De-NOx System for Unit 2 necessitated by a 'Change in Law' event i.e. Environment (Protection) Amendment Rules, 2015 dated 07.12.2015, Environment (Protection) Amendment Rules, 2018 dated 28.06.2018, Environment (Protection) Amendment Rules, 2020, and Environment (Protection) Amendment Rules, 2021 and Environment (Protection) Amendment Rules, 2022 issued by the Ministry of Environment, Forest and Climate Change read with the letter dated 01.10.2021 issued by Maharashtra Pollution Control Board and the approval of the incremental Tariff on account of the above.

AND

IN THE MATTER OF

Dhariwal Infrastructure Ltd. (DIL)

CESC House, Chowringhee Square, Kolkata – 700001, West Bengal

..... Petitioner

VERSUS

Noida Power Company Ltd. (NPCL)

Electric Sub-station, Knowledge Park-IV, Gr. Noida, Gautam Buddha Nagar, Uttar Pradesh,
Pin- 201301





..... Respondent

THE FOLLOWING WERE PRESENT

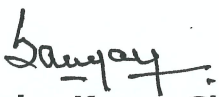
1. Ms. Shikha Ohri, Advocate, DIL
2. Shri Sanket Srivastava, Head Power Mgmt. Services, NPCL
3. Shri Abhishek Rai, AM-Legal, NPCL
4. Ms. Srishti Rai, Advocate, DIL

ORDER

(DATE OF HEARING: 22.04.2025)

1. During the hearing, Ms. Shikha Ohri, Counsel for the petitioner (DIL), apprised the Commission that the petition filed by them before CERC, for approval of final capital cost of the De-NOx system, was listed on 28.04.2025. However, the final order is expected in June/July, 2025 as the pleadings are still incomplete.
2. The Commission observed that since the issue involved in the present case has a direct linkage with the matter pending before CERC, therefore, approval of final capital cost apportioned to NPCL could be conclusively ascertained only after CERC's order. The Commission directed the petitioner to submit certification / validation of NOx emission levels by CPCB as submitted by the petitioner vide its rejoinder dated 02.04.2025 and also to clarify regarding NOx emission values exceeding the prescribed limit of 450 mg/Nm³ during January 2024 and October 2024.

The matter is listed for next hearing on 22.07.2025.


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 25.04.2025

