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**Petition No 965 of 2014**

**BEFORE  
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Date of Order: 21.06.2016**

**PRESENT:**

1. Hon'ble Sri Desh Deepak Verma, Chairman
2. Hon'ble Sri Indu Bhushan Pandey, Member
3. Hon'ble Sri S.K. Agarwal, Member

**IN THE MATTER OF:** Application for Approval of PPA for Rihand (6x50 MW), Obra (3x33 MW), Matatila (3x10 MW), Khara (3x24 MW), Belka, Babail, Shitla and Upper Ganga Canal Hydro Power Stations (Bhola (4x0.375 MW +2x0.6 MW) Chitaura (2x 1.5 MW), Salawa (2x1.5 MW) Hydro Power Stations of UPJVNL for the period of 15 years from 01.04.2009 to 31.03.2024.

Uttar Pradesh Power Corporation Limited.  
7<sup>th</sup> Floor, Shakti Bhawan Extn.  
14, Ashok Marg, Lucknow.

-----Petitioner

UP Jal Vidyut Nigam Limited (UPJVNL).  
12<sup>th</sup> Floor, Shakti Bhawan Ext. ,  
14, Ashok Marg, Lucknow.

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The following were present:

1. Sri V.P. Srivastava, CE UPPCL
2. Sri Mahesh Prasad, CE, UPJVNL
3. Sri S.K. Sinha, SE, UPPCL
4. Sri H.C.Maurya, SE, UPJVNL
5. Sri Atul Kumar, EE, UPJVNL
6. Sri Pranjul Srivastava, AE, UPJVNL



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## Order

(Date of Hearing 06.06.2016)

1. The PPA in respect of Power Stations of UPJVNL was entered into between UPPCL and UPJVNL on December 18, 2000 for a term of 3 years effective from April 01, 2001. There was a provision in the said PPA that if UPPCL continues to get power from UPJVNL's Hydro Power Generating Stations even after expiry of the agreement without further renewal or formal extension thereof then all the provisions of the agreement would continue to operate till the agreement was formally renewed / extended or replaced. The PPA did not include the Small Hydro Power (SHP) stations Belka, Babail and Sheetla.
2. In the order dated 20.10.2011( petition no. 661/2010) in the matter of "Determination of Multi Year Tariff (MYT) and approval of Annual Revenue Requirement (ARR) for Hydro Power Stations of U.P. Jal Vidyut Nigam Limited (UPJVNL) for F.Y. 2009-10 to 2013-14", UPPCL was directed by the Commission to submit the PPAs with UPJVNL at least for the period up to FY 2013-14 for the approval of the Commission within three months from the date of the order.
3. In this respect UPPCL filed petition on 27<sup>th</sup> June 2014 for approval of 8 PPAs for following HPS including SHP:
  1. Rihand
  2. Obra Hydel
  3. Mata tila
  4. Khara
  5. Ganga Canal Power Station
  6. Belka (SHP)
  7. Babail (SHP)
  8. Sheetla (SHP)
4. The PPAs (except SHPs commissioned by UPJVNL subsequent to unbundling of erstwhile UPSEB and for which PPAs are under consideration for the first time) will supersede the earlier PPA executed between UPJVNL & UPPCL on 18-12-2000 (including the supplementary PPA).
5. The PPAs executed between UPJVNL & UPPCL, were for a period of 5 years effective form 01-04-2009 and had expired on 31 March, 2014.



Thus, the Commission observed that it was out of place to approve a PPA of which term had been expired and considering that MYT for present control period for projects was also due, UPPCL was directed to enter into PPA for at least 15 years w.e.f. 01.04.2009 in place of earlier 5 years so that PPA covers previous as well as present control period.

The Commission also directed to UPPCL / UPJVNL to clearly mention if they wish to seek any deviation from the provision of the existing regulations. Further, UPPCL was directed to bring into records the allocation of power from UPJVNL to various DISCOMs.

6. Subsequently, in line with the above directions of the Commission UPPCL and UPJVNL have entered into PPAs for all above plants for the period from 01.04.2009 to 31.03.2024. So far as capacity allocation to various DISCOMs is concerned it is agreed in PPA that 30% of the power from each plant shall be allocated to Purvanchal Vidyut Vitaran Nigam Ltd.(PuVVNL) and Paschimanchal Vidyut Vitaran Nigam Ltd.(PVVNL) each whereas 20% power shall be allocated to Madhyanchal Vidyut Vitaran Nigam Ltd.(MVVNL) and Dakshinanchal Vidyut Vitaran Nigam Ltd.(DVVNL) each. So far as capacity under PPA for various projects are concerned, it is as given below:

S.No.	Name of Project	Installed capacity (MW)	% of Generated power under contract	Remarks
1.	Rihand	300	85	15% power goes to Madhya Pradesh
2.	Obra	99	100	-
3.	Matatila	30.6	66.67	33.34% power goes to Madhya Pradesh
4.	Khara	72	80	20% power



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					goes to Himachal Pradesh
<b>5.</b>	Ganga Canal Power Station	Bhola	4X0.375+2X0.6	100	-
		Chitaura	2X1.5	100	-
		Nirgazani	2X2.5	100	-
		Salawa	2X1.5	100	-
<b>6.</b>	Belka (SHP)	3	100	-	
<b>7.</b>	Babail (SHP)	3	100	-	
<b>8.</b>	Sheetla (SHP)	3.6	100	-	

7. In respect of deviations from model PPA, it is submitted by both the parties in the hearing that only deviation is regarding late payment surcharge which is omitted in above PPAs.
8. The Commission approves the PPAs for above projects with deviations as above.
9. The petition is disposed of.

(S.K. Agarwal)  
Member

(Indu Bhushan Pandey)  
Member

(Desh Deepak Verma)  
Chairman

Place: Lucknow

Dated: 21.06.2016