



Petition Nos. 973 of 2014, 1036,1037,1038,1039 &1040 of 2015
and 1079, 1080, 1081, 1082 &1083 of 2016

BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

PRESENT:

1. Hon'ble Shri Desh Deepak Verma, Chairman
2. Hon'ble Shri Suresh Kumar Agarwal, Member

IN THE MATTER OF:

Approval of final capital cost as on COD, Determination of final tariff, additional capitalisation and true up for the period from the COD upto 31.03.14 in respect of 2 X 45 MW Barkhera, Maqsoodpur, Kundarkhi, Khambarkhera and Utraula Thermal Power Project, Determination of Multi Year Tariff for FY 2014-15 to FY 2018-19 in respect of Barkhera, Maqsoodpur, Kundarkhi, Khambarkhera and Utraula Thermal Power Project

BETWEEN

M/s Bajaj Energy Pvt. Ltd,
B-10 Sector 3, Bajaj Bhawan, Jamnalal Bajaj Marg,
Noida 201301(UP)

-----Petitioner

AND

Uttar Pradesh Power Corporation Ltd.(UPPCL)
Shakti Bhawan,14-Ashok Marg,
Lucknow-226001
&Others

-----Respondent(s)



The following were present:

1. Shri S.N.M Tripathi, Director, Bajaj Energy Pvt. Ltd
2. Shri Arun Garg, GM (F P&A), Bajaj Energy Pvt Ltd.
3. Shri V.P Srivastava CE (PPA), UPPCL
4. Shri Nadeem Khan, EE, PPA, UPPCL
5. Shri Vivek Dikshit, E.E., UPPCL
6. Shri Anant Swaroop. V.P., Bajaj Energy Pvt Ltd.
7. Shri Amrendra, Sr. Manager, Bajaj Energy Pvt Ltd.
8. Shri Rajiv Srivastava, Advocate, UPPCL
9. Shri Rama Shankar Awasthi, Consumer Representative
10. Shri Avadhesh Kumar Verma, Chairman, U.P Rajya Vidyut Upbokta Parishad, Public Representative

Order
(Date of Hearing: 16.08.2016)

1. Bajaj Energy Private Limited (hereinafter '**BEPL**' or the '**Petitioner**') promoted by Bajaj Hindustan Limited (hereinafter '**BHL**'), has set up 450 MW coal fired Thermal Power Plants subsequent to an Memorandum of Understanding (hereinafter '**MoU**') between Government of Uttar Pradesh (hereinafter '**GoUP**') and BHL.
2. The Bajaj Energy Pvt Ltd (BEPL) filed petitions for Approval of Capital Cost and for True up for Barkhera, Khambarkhera, Maqsoodapur, Kundarki, Utraula Thermal Power Stations for F.Y. 2011-12 to 2013-14 on 25.08.2015. The petitions were admitted by the Commission vide order dated 07.01.2016.
3. Subsequently Petitioner filed petitions on 19.01.2016 for determination of Multi Year Tariff (MYT) for FY 2014-15 to FY 2018-19.
4. The Public Hearing in the matter was held in the office of the Commission on 29.02.16. Since there was no representation from the public, the Commission, allowing some additional time for filing of objections, held a second Public Hearing on 16.03.2016.
5. During the second public hearing Shri Avadhesh Kumar Verma, Chairman, U.P Rajya Vidyut Upbokta Parishad and Shri Shafiullah, public representative raised a number



of objections. The Commission directed the objectors to submit written objections and the Petitioner to file appropriate responses to these objections.

6. Vide letter dated 17.03.2016, BEPL informed that they have uploaded all the documents on their website www.bajajenergy.com. Bajaj Energy also submitted that they have supplied copies of the petitions to Sri Shafiullah. On 1^{2th} May 2016 Bajaj Energy filed a reply on Shri Shafiullah's written comments. On dated 10.08.2016 BEPL has filed that they have sent copies of the petitions and Expert Committee Report to Sri Avadhesh Kumar Verma.
7. No written objections/comments subsequent to public hearing dated 16.03.2016 have been filed as yet.
8. In continuation, this hearing was fixed by the Commission.
9. During the hearing Shri Avadhesh Kumar Verma submitted that the Petitioner had still not made available all the requisite documents to him. Shri Rama Shankar Awasthi submitted that the Report of Expert Committee for verification and prudence check of the Capital Cost of BEPL's stations made available by the Petitioner was an un-signed copy. He also submitted that annexures of the Report and other related documents were not provided to him.
10. Shri A.K.Verma and Shri Awasthi requested to the Commission that although Expert Committee Reports have been uploaded on the Commission's website but it would have been better if all the annexures could also be uploaded. The Commission clarified that due to technical reasons, it was not possible to make available soft copies of the annexures of the Report on the Commission's website, however copies of the annexures to the Report could be made available on request.
11. Representative of UPPCL submitted that the GCV 'as received' should be considered for tariff determination. The Representative of the Petitioner clarified that details of 'GCV As Received' had been submitted to the Commission as part of the responses to data gaps and additional information requirement. Representative of UPPCL further submitted that the lower of actual and normative number of days of storage of coal stock and sharing of gains on account of refinancing of loans should be considered in accordance with UPERC Generation Tariff Regulations 2014.



Representative of UPPCL further submitted that the Petitioner had not provided details of capital expenditure incurred against undischarged liabilities.

12. The Commission directed UPPCL, Shri A.K. Verma and Shri R.S. Awasthi to provide written objections/comments to the petitioner within fifteen days of this hearing with a copy to the Commission and the Petitioner was directed to submit responses to these objections/comments within next 10 days. With these observations, the Commission decided to close the hearing.

(S.K. Agarwal)
Member

(Desh Deepak Verma)
Chairman

Place : Lucknow
Dated: 19.08.2016