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**Petition No 940 of 2014**

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

**Date of Order : 5.8.2014**

**PRESENT:**

1. Hon'ble Sri Desh Deepak Verma, Chairman
2. Hon'ble Smt. Meenakshi Singh, Member
3. Hon'ble Sri Indu Bhushan Pandey, Member

**IN THE MATTER OF:** Approval of Supplementary Power Purchase Agreement (SPPA) for supply of 22 MW Power.  
**BETWEEN**

UP Power Corporation Limited  
(Through its Chief Engineer, PPA)  
Power Purchase Agreement Directorate,  
U.P. Power Corporation Ltd.,  
14th Floor, Shakti Bhawan Extension,  
Lucknow.

-----Petitioner

**AND**

M/s Kesar Enterprises Limited,  
(Sugar and Spirits Division)  
Oriental House, 7 Jamshedji Tata Road,  
Churchgate, Mumbai – 400 020

-----Respondent

The following were present:

1. Sri Alok Mittal, G.M.(Finance), Kesar Sugar Mill Baheri
2. Sri Khushal Singh, Sr. Manager, Kesar Sugar Mill Baheri
3. Sri Ahteshan, Liason Officer, M/s Kesar Sugar Mill Baheri



## Order

(Date of Hearing 01.07.2014)

1. The Petitioner entered into a Power Purchase Agreement (PPA) on behalf of Madhyanchal Vidyut Vitran Nigam Limited (MVVNL) with M/s Kesar Enterprises Limited on 14<sup>th</sup> day of February, 2011 for supply of surplus 10 MW power from 25 MW Bagasse based generating plant situated at Baheri Distt. Bareilly. The PPA was approved by the Commission on 7.4.2011.
2. Now the plant capacity has been enhanced from 25 MW to 44 MW and therefore, additional 22 MW has been offered for supply which makes total capacity for supply as 32 MW.
3. The supplementary PPA has been made for additional 22 MW power. In SPPA contracted capacity has been revised as 5.5 MW in place of 3 MW. The SPPA has been executed on 24<sup>th</sup> August, 2012.
4. The Commission approves the SPPA for 22 MW bagasse based power from the total installed capacity of 44 MW. The declared load for import of power shall be 5.5 MW. Total 32 MW capacity shall be considered operational from the date as agreed in PPA dated 14<sup>th</sup> day of February, 2011.
5. The applicable fixed charges for capacity of 10 MW, as approved in PPA, shall be as determined by the Commission under the Regulations, 2009 on the basis of date of commissioning as provided in PPA dated 14<sup>th</sup> day of February, 2011. However, for the additional 22 MW capacity, according to regulation 35 (2) of the CNCE Regulations, 2009, applicable fixed charges, excluding the cost on evacuation system, in preferential tariff for FY 2010-11 to 2013-14 under the Regulations, 2009 shall be as below:

Bagasse New Projects (Fixed Cost : Rs/kwh)				
Yr. of commissioning	2010-11	2011-12	2012-13	2013-14
2010-11	2.37	2.31	2.24	2.17
2011-12		2.44	2.37	2.30



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2012-13			2.51	2.44
2013-14				2.58

6. Accordingly, the tariff for supply of electricity from the plant shall be based on weighted average of the contracted capacities of the units as agreed in PPA and as agreed in SPPA. The variable charges shall be as provided in the Regulations for new projects.
7. The tariff so determined for FY 2013-14 shall continue for FY 2014-15 provisionally till the Regulations, 2014 comes into effect.
8. All other terms and conditions of PPA dated 14<sup>th</sup> day of February, 2011 read with the regulations amended from time to time shall remain applicable.
9. The petition is disposed of.

(Indu Bhushan Pandey)  
Member

(Meenakshi Singh)  
Member

(Desh Deepak Verma)  
Chairman

Place : Lucknow  
Dated: 5.8.2014