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**Petition No 846 of 2012**

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

**Date of Order : 29.04.2013**

**PRESENT:**

1. Hon'ble Shri Shree Ram, Member
2. Hon'ble Smt. Meenakshi Singh, Member

**IN THE MATTER OF:** Petition for determination of tariff for co-generation plant for coal based power generation during off-season of 2012.

**AND**

**IN THE MATTER OF**

M/s Dalmia Chinni Mills,  
Jawaharpur, Ramkot,  
Distt. Sitapur

-----Petitioner

1. The Chairman,  
U.P. Power Corporation Ltd.,  
7<sup>th</sup> Floor, Shakti Bhawan,  
14, Ashok Marg, Lucknow
2. The Managing Director,  
Madhyanchal Vidyut Vitran Nigam Ltd.,  
4 Gokhle Marg, Lucknow.

----- Respondent

The following were present:

1. Sri S.P. Pandey, C.E.(PPA), UPPCL
2. Sri T.N. Singh, G.M. Dalmia Chini Mills
3. Sri C.P. Dwivedi, G.M., Dalmia Chini Mills
4. Sri Ajay Vikram Singh, Advocate, Dalmia Chini Mills.



## Order

(Date of Hearing 05.02.2013)

1. The subject petition has been filed for determination of tariff for co-generation plant for coal based power generation during off-season of 2012 under GoUP Energy Policy 2009.
2. In order dated 25.6.2012, petition nos. 719, 720, 723, 727, 728, 733 and 740 of 2011, the Commission observed as below:

*The tariff for 50 % of the generation on coal by co-generators during off-season has been determined as below:*

	<i>FY 2010-11</i>	<i>FY 2011-12</i>
<i>Fixed Cost</i>	<i>0.80</i>	<i>0.78</i>
<i>Variable Cost (Ceiling Cost)</i>	<i>4.22</i>	<i>4.24</i>
<i>Total Cost</i>	<i>5.02</i>	<i>5.02</i>

- (i) The above costs shall be applicable for only 50% of the generation based on coal during off-season under the GoUP Energy Policy, 2009. The rates approved by the Commission are inclusive of all expenses, taxes and duties and nothing shall be payable extra.*
- (ii) The Co-generator will submit to UPPCL, for verification, the details of coal and oil purchased during each month duly certified by a Cost Accountant. The UPPCL shall verify the costs from the original bills and make the payments of variable charges upto the ceiling as mentioned in the table above. In case of non-production of details of purchase of coal and oil, the rate of energy generated during off season for tariff purposes shall be treated as generation obtained by utilizing existing bagasse and the tariff based on bagasse as applicable to the co-generator under the PPA as per the UPERC CNCE Regulations, 2009 shall be applicable.*



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*(iii) Any over or under recovery of charges on account of provisional tariff for FY 2010-11 and FY 2011-12 shall be adjusted retrospectively under the provisions of UPERC (Terms and Conditions of Generation Tariff) Regulations 2009 and its amendments.*

3. During the hearing, Sri S.P. Pandey, C.E., UPPCL submitted that during the off season of 2012-13, only the petitioner co-generator has supplied coal based power under GoUP policy and that too only for about one month. He added that the generation has been made on left over coal of the last season so there must not be any enhancement in the earlier approved tariff and the same tariff as provided by the Commission for FY 2011-12 may be approved for FY 2012-13 in this case. The representative of the petitioner agreed the same.
4. Hence the Commission approves the tariff for 50 % of the generation on coal by co-generators during off-season of 2012-13 same as provided in the Commission's order dated 25.6.2012 for off season of 2011-12. The other provisions mentioned at points 2 (i), 2(ii) & 2(iii) shall remain applicable.
5. The petition is disposed of.

(Meenakshi Singh)  
Member

(Shree Ram)  
Member

Place : Lucknow  
Dated: 29.04.2013