



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

Petition No. 1281/2018
(Date of Order: 13.06.2018)

PRESENT:

1. Hon'ble Sri Suresh Kumar Agarwal, Chairman
2. Hon'ble Sri Kaushal Kishor Sharma, Member

IN THE MATTER OF: for quashing of notice dated 02-09-2017 and to allow to inject of bio mass based power in grid under the provisions of PPA dated 23-07-2012 and 11-09-2015.

Petitioners:

M/s India Glycols Limited,
E-1, Sector – 15, GIDA
Gorakhpur, (U.P.)

Respondent:

UP Power Corporation Ltd.,
Through its Chairman,
14th Floor, Shakti Bhawan Ext., 14th Ashok Marg,
Lucknow

Director,
State Load Dispatch Centre,
Shakti Bhawan, 14th Ashok Marg,
Lucknow

Chief Engineer (PPA),
U.P. Power Corporation Ltd.,
14th Floor, Shakti Bhawan Ext., 14th Ashok Marg,
Lucknow



In the Presence of :

1. Sri Rajiv Srivastava, Advocate, UPPCL
2. Sri P.N. Pandey, G.M. India Glycols Ltd.
3. Sri Shailesh Chand, D.G.M., India Glycols Ltd.
4. Sri Rahul Srivastava, Advocate, UPSLDC
5. Sri P. Shukla, SE, UPSLDC
6. Sri M.K. Gupta, AE, UPSLDC
7. Sri A. K. Srivastava, EE, UPSLDC
8. Sri D.D. Chopra, Advocate

ORDER

(Date of hearing: 25.04.2018)

1. The petitioner, M/s India Glycols Limited, has a PPA dated 23.07.2012 with UPPCL for supply of 8 MW power from its 12 MW rice husk + slop based plant at Sahajanwa, operational since May 2013.

2. The Petitioner has stated that Since June 2016 the petitioner has been selling power to UPPCL at tariff of Rs.5.97 per unit against tariff of Rs. 6.45 per unit, as admissible under the Regulations and the PPA. For the month of July and August 2017 no payment is made to the petitioner against power supplied by it to UPPCL.

4. SLDC vide e-mail dated 02.09.2017 stopped the petitioner from injecting power into the grid. PPA wing of UPPCL vide letter dated 08.09.2017 directed SLDC to allow injection of power from only those RE generators who have tariff lower than Rs. 5.56 per unit. The Petitioner on 11.09.2017 gave an undertaking to accept the tariff of Rs. 5.56 per unit provisionally for 3 months.

5. The petitioner has challenged the restrain imposed by SLDC and reduction of tariff by UPPCL and has also sought that they should be allowed to inject power into the grid as per the provisions of PPA and the Regulations and the payments of their bills from June 2016 should be made at the tariff approved under PPA and the regulations.

5. SLDC vide its submission dated 05.04.2018 argued that its actions to restrain the petitioner from injecting the power into the grid was based on



the instructions received from UPPCL/procurer and is in-line with the provisions of the Electricity Act, 2003 and the Grid Code.

6. UPPCL made no written submission but argued to justify their stand on the ground that they are trying to reduce their power purchase cost. They however said that the Petitioner has agreed to supply power at Rs. 5.97 per unit and have also agreed to supply power at Rs. 5.56 per unit for 3 months, therefore they cannot agitate the rate issue now.

7. The Commission, after considering all above submissions, directed the petitioner and the respondents to negotiate the issue within 15 days time and appraise the Commission about the decision taken by them.

8. The hearing in the matter shall be fixed subsequent to submissions as directed above.

(Kaushal Kishor Sharma)
Member

(Suresh Kumar Agarwal)
Chairman

Place: Lucknow
Dated: 13.06.2018