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**BEFORE**

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION**

**LUCKNOW**

**Petition No.1310/2018**

**PRESENT:**

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

IN THE MATTER OF : Application under Regulation 156 of the UPERC (Conduct of Business) Regulations, 2004 for urgent hearing on behalf of the RPSCL.

**Petitioners :**

M/s Rosa Power Supply Company Ltd.  
3<sup>rd</sup> Floor, south Wing, Reliance Centre,  
Near Prabhat Colony, Off Western Express Highway,  
Santacruz (East), Mumbai-400 055

**Respondent:**

1. U.P. Power Corporation Ltd.  
(through its Chairman)  
Shakti Bhawan,  
14, Ashok Marg,  
Lucknow-226 001 (U.P.)
2. Chief Engineer (PPA)  
UP Power Corporation Ltd.,  
14<sup>th</sup> Floor, Shakti Bhawan Extn.  
14-Ashok Marg,  
Lucknow



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### **In the Presence of**

1. Sri Vibhav Agarwal, Director, RPSCL
2. Sri Sumit Notani, RPSCL
3. Sri Vinod Asthana, CE, PPA, UPPCL
4. Sri Sanjay Verma, S.E. PPA, UPPCL
5. Sri Naeem Khan, EE, PPA, UPPCL
6. CA Manish Garg, Consultant, UPPCL
7. Sri Rajiv Srivastava, Adv. UPPCL
8. Sri Vikrant Raghuvanshi
9. Advocate Venkatesh

### **ORDER**

(Date of hearing 27.04.2018)

This case was first listed on 11.04.2018 in which UPPCL was given time to file their reply on the petition in detail and UPPCL was directed to make sufficient payment to the Petitioner to procure coal and run the plant. The respondents were given time to file the reply and next date of hearing was fixed on 17.04.2018.

2. The case was taken up on 17.04.2018. Sr. Advocate Sri L.P. Mishra appearing on behalf of UPPCL sought time for filing the reply and the Commission granted one week time and fixed the next hearing on 27.4.2018.

3. On 27.04.2018 Chief Engineer (PPA), UPPCL appearing on behalf of UPPCL informed that they need some more time to file their reply and informed the Commission that they have decided to pay Rs.230 crore per month to the Petitioner to enable them to procure sufficient coal and run the plant. On this the Counsel of the Petitioner stated that UPPCL has arbitrarily decided the quantum of payment without discussing the matter with the Petitioner.

4. Sri Vibhav Agarwal, appearing on behalf of the Petitioner informed the Commission that they need at least Rs.260 crore per month to defray the expenses related to procurement of coal and for meeting the debt services obligations. He stressed the point that now in the summer months their monthly billing will be at least Rs.350 crore per month and UPPCL has sufficient balance for the impugned recovery.



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5. The Commission heard both the sides and directed UPPCL to pay at least 240 crore per month to the Petitioner and adjust the balance amount of bills towards the recovery that they have decided to make from the Petitioner. The Commission further directed UPPCL to file their detailed reply in next 10 day.

6. Fix for hearing after 27<sup>th</sup> May 2018.

(Kaushal Kishore Sharma)  
Member

(Suresh Kumar Agarwal)  
Chairman

Place: Lucknow  
Dated: 04.05.2018