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**Petition No 965 of 2014**

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

**Date of Order: 16.02.2015**

**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:** Application for Approval of PPA for Rihand (6x50 MW), Obra (3x33 MW), Matatila (3x10 MW), Khara (3x24 MW), Belka, Babail, Shitla and Upper Ganga Canal Hydro Power Stations (Bhola (4x0.375 MW +2x0.6 MW) Chitaura (2x 1.5 MW), Salawa (2x1.5 MW) Hydro Power Stations of UPJVNL for the period of 5 years from 01.04.2009 to 31.03.2014.

Uttar Pradesh Power Corporation Limited.  
7<sup>th</sup> Floor, Shakti Bhawan Extn.  
14, Ashok Marg, Lucknow.

-----Petitioner

UP Jal Vidyut Nigam Limited (UPJVNL).  
12<sup>th</sup> Floor, Shakti Bhawan Ext. ,  
14, Ashok Marg, Lucknow.

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The following were present:

1. Sri Sri Muralidhar Bhagchandani, Director (Technical), UPRVUNL & UPJVNL
2. Sri A.K. Agarwal, Director (Finace), UPRVUNL & UPJVNL
3. Sri S.P. Pandey, Ex CE, UPPCL
4. Sri Ashok Rathi, CE, UPJVNL
5. Sri S.K. Sinha, SE, UPPCL



6. Sri S.C. Bunkar, SE, UPJVNL
7. Sri R.S. Jaiswal, EE, UPJVNL
8. Sri Haron Aslam, EE, UPPCL
9. Sri Ashish Sinha, EE, UPPCL
10. Sri Pranjul Srivastava, AE, UPJVNL
11. Sri Bhusan Rastogi, Consultant, UPJVNL

## **Order**

(Date of Hearing 23.01.2015)

1. Initially, the PPA in respect of Power Stations of UPJVNL was entered into between UPPCL and UPJVNL on December 18, 2000 for a term of 3 years effective from April 01, 2001. There was a provision in the said PPA that if UPPCL continues to get power from UPJVNL's Hydro Power Generating Stations even after expiry of the agreement without further renewal or formal extension thereof then all the provisions of the agreement would continue to operate till the agreement was formally renewed / extended or replaced. The PPA did not include the Small Hydro Power (SHP) stations Belka, Babail and Shitla.
2. In the order dated 20.10.2011( petition no. 661/2010) in the matter of "Determination of Multi Year Tariff (MYT) and approval of Annual Revenue Requirement (ARR) for Hydro Power Stations of U.P. Jal Vidyut Nigam Limited (UPJVNL) for F.Y. 2009-10 to 2013-14", UPPCL was directed by the Commission to submit the PPAs with UPJVNL at least for the period up to FY 2013-14 for the approval of the Commission within three months from the date of the order.
3. In this respect UPPCL has filed petition on 27<sup>th</sup> June 2014 for approval of 8 PPAs for following HPS including SHP:
  1. Rihand
  2. Obra Hydel
  3. Mata tila
  4. Khara
  5. Ganga Canal Power Station
  6. Belka (SHP)
  7. Babail (SHP)
  8. Shitla (SHP)



4. The PPAs (except SHPs commissioned by UPJVNL subsequent to unbundling of erstwhile UPSEB and for which PPAs are under consideration for the first time) will supersede the earlier PPA executed between UPJVNL & UPPCL on 18-12-2000 (including the supplementary PPA).
5. These PPA. executed between UPJVNL & UPPCL, are for a period of 5 years effective form 01-04-2009 and has been expired on 31 March, 2014.
6. The Commission finds it out of place to approve a PPA for the term which has been expired. Further, considering that MYT for present control period for the UPJVNL projects is also due, UPPCL is directed to enter into PPA for at least 15 years w.e.f. 01.04.2009 in place of earlier 5 years so that PPA covers pervious as well as present control period.
7. The Commission also directs to UPPCL / UPJVNL to clearly mention if they wish to seek any deviation from the provision of the existing regulations. Further, UPPCL is directed to bring into records the allocation of power from UPJVNL to various DISCOMs.
8. The Commission keeps the petition for next hearing. The next hearing shall be subsequent to filing of response.

(Indu Bhushan Pandey)  
Member

(Meenakshi Singh)  
Member

(Desh Deepak Verma)  
Chairman

Place: Lucknow

Dated: 16.02.2015