



Petition No 985 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: Approval for bid process for small hydro power projects- Nirgajni (7.0 MW), Chitaura (5.5 MW) | Distt- Muzaffar Nagar and Salawa (4.5 MW) & Bhola (5.0 MW) in Distt – Merrut & Sharda Sagar (1.5MW) in Distt Pilibhit, on the same bid document (RFQ, RFP and Model PPA), along with deviations as already approved by the Hon'ble UPERC vide order dated 15.12.2010.

AND

IN THE MATTER OF

UP Jal Vidyut Nigam Ltd.
12th Floor, Shakti Bhawan Extn.
14, Ashok Marg, Lucknow.

-----Petitioner

The Uttar Pradesh Power Corporation Ltd.
Shakti Bhawan ,
14, Ashok Marg, Lucknow.

----- Respondent

The following were present:

1. Sri Ashok Rathi. CE, UPJVNL
2. Sri S. C. Bunkar, SE , UPJVNL
3. Sri P.K.Saxena, EE , UPJVNL
4. Sri Adil Qureshi, Manager IL&FS



Order

(Date of Hearing 16.12.2014)

1. The petition has been filed by UPJVNL for procurement of power from Small Hydro Power (SHP) projects- Nirgajni (7.0 MW), Chitaura (5.5 MW) I Distt- Muzaffar Nagar and Salawa (4.5 MW) & Bhola (5.0 MW) in Distt – Merrut & Sharda Sagar (1.5 MW) in Distt Pilibhit, on the same bid document (RFQ, RFP and Model PPA), along with deviations as already approved by the Hon'ble UPERC vide order dated 15.12.2010.
2. The Petitioner has submitted that GoUP has authorized UP Jal Vidyut Nigam Limited (UPJVNL) to conduct bidding process for setting up SHPs at 15 locations for setting up SHPs under GoUP Policy dated 24.09.2008 & 10.08.2009. The Procurers (DISCOMs) have also authorized them to conduct the bidding process for procurement of power on their behalf.
3. The salient features of GoUP policy dated 24.09.2008 & 10.08.2009 are as follows:
 - i. The land shall either be arranged by the developer or shall be provided by the Government on lease.
 - ii. The right of way shall be arranged by the developer.
 - iii. There would not be any electricity duty on the electricity generated from these projects.
 - iv. The power shall be supplied to UPPCL/DISCOMs.
 - v. MoU shall be signed by the developer with UPJVNL/UPNEDA.
 - vi. The developer shall pay Rs. 0.05/unit of generated electricity to respective department as royalty for maintenance of canal.
 - vii. The developer has to provide 12% of the power free of cost to the Government of UP.
4. It had been earlier submitted by the petitioner that as per the notification of Ministry of Power, GOI dated 11th November 1998 and 2nd June, 1999,



Hydro Power Projects of small capacities selected through a process of competitive bidding by the competent Government does not require concurrence of Central Government. The Petitioners have submitted that Request for Qualification (RFQ), Request for Proposal (RFP) and model Power Purchase Agreement (PPA) documents, for selection of developer to supply power to UPPCL / DISCOMs on long term basis for 35 years under Case - 2 tariff based bidding guidelines, have been prepared as per the Commission's directions vide order dated 26.11.08 in petition no. 574/2008. In this order, the Commission had directed to develop documents for procurement of power on Case – 2 basis according to the standard bidding guidelines provided by the Central Government and the policy made by GoUP.

5. UPJVNL have submitted petition for approval of the same draft RFQ, RFP and model PPA along with deviations as earlier approved by the Commission vide order dated 15.12.2010. The Commission considers that the renewable energy in the state has to be promoted through such small hydroelectricity projects.
6. Therefore the Commission allows UPJVNL to initiate the bid process for small hydro power projects- Nirgajni (7.0 MW), Chitaura (5.5 MW) I Distt- Muzaffar Nagar and Salawa (4.5 MW) & Bhola (5.0 MW) in Distt – Merrut & Sharda Sagar (1.5 MW) in Distt Pilibhit, on the same bid document (RFQ, RFP and Model PPA) with same deviations as already approved vide order dated 15.12.2010. These generating plants shall abide by the provisions of Acts, Rules, Codes, Regulations, Orders & Directions applicable in the State time to time regarding generation and evacuation of electricity.
7. The petition is disposed of.

(Indu Bhushan Pandey)
Member

(Meenakshi Singh)
Member

(Desh Deepak Verma)
Chairman

Place: Lucknow

Dated: 16.02.2015