

BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

IN THE MATTER OF:

Uninterrupted supply of bulk power required by Noida Power Company Limited (Petitioner) from U.P. Power Corporation Limited (UPPCL) for supply to NPCL's consumers.

AND

IN THE MATTER OF:

M/s Noida Power Company Limited, Commercial Complex, H- Block, Sector Alpha-II,
Greater Noida – 201 308

Petitioner

AND

Uttar Pradesh Power Corporation Limited, Shakti Bhawan, 14- Ashok marg, Lucknow.

Respondent

ORDER

M/s Noida Power Company Limited, Noida (herein after referred to as petitioner) had filed a petition (Petition no. 414/2006) under section 86 of the Electricity Act 2003 read with section 34 of the Uttar Pradesh Electricity Reforms Act-1999, in view of perceptible threat that UPPCL (respondents) may disrupt/restrict the power supply to its area of operation. Accordingly, the petitioner had requested the Commission to issue orders/directions restraining UPPCL (respondents) from taking any coercive action in terms of disconnecting/restricting the power being supplied to it.

In view of exigency of larger consumer interest of Noida Power Company Limited area, the Commission through a notice dated 17th November, 2006 fixed the matter for

hearing on 20th November 2006 at 3:00 PM. Based on the hearing dated 20.11.2006 and facts placed before it, the Commission passed an order on 21.11.2006 which is reproduced verbatim as under :

“The Commission in the interim directs UPPCL, in the consumer interest, not to restrict the power supply of NPCL and restore it to the previous level, if already reduced, till further orders of the Commission. The Commission accordingly directs NPCL to make a provisional payment of Rs. 5.00 Crs. immediately against the supply of additional power. NPCL is also directed to discuss the issue of additional power with Director (Finance) UPPCL, to find out an amicable solution of the problem within 3 weeks of this order under intimation to this Commission. In case, such a solution is not arrived at then the case will be taken up for hearing after 3 weeks through a separate notice. Petitioner is further, directed to arrange for alternative source for additional power latest by 31st January, 2007. The petitioner is also being directed to get an ABT compliant meter installed at the interface point as early as possible to facilitate proper accounting of import of power”.

Subsequent to above order by the Commission M/s Noida Power Company Limited vide letters on affidavit dated 27.11.2006 and 30.11.2006 informed that UPPCL withdrew the additional power supply of 10 MVA w.e.f 20.11.2006 midnight itself. M/s NPCL has also intimated that they have deposited a demand draft of Rs. 5.00 Cr. with the UPPCL in compliance to Commission's order dated 21.11.2006 on 23.11.2006 but still the electricity supply was not restored to its previous level by UPPCL. As per the directions of the Commission M/s NPCL also met Director (Finance), UPPCL on 29.11.2006 and discussed the issue of additional 10MVA power, but no amicable solution could be reached. The news clippings attached with letter of M/s NPCL indicate that lot of hardships are being faced by the consumers of M/s NPCL, due to non restoration of electricity supply to its previous level.

The Commission takes a serious note of the non compliance of Commission's order but to provide UPPCL with one more opportunity directs it to restore the supply of electricity to its earlier level in the petitioner area by 2nd December 2006.

In case of continued non compliance Commission will consider fixing personal responsibility of the officials concerned and initiating proceedings under Section 142 of the EA-2003.

(R.D. Gupta)
Member

(P.N. Pathak)
Member

(Vijoy Kumar)
Chairman

Lucknow

Dated: 1st December 2006