



**Petition No. 1480/2019**

**BEFORE**

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION**

**LUCKNOW**

**Date of Order: 10.12.2019**

**PRESENT:**

Hon'ble Shri Raj Pratap Singh, Chairman

Hon'ble Shri Kaushal Kishore Sharma, Member

**IN THE MATTER OF:** Petition under Section 86 (b) and (e) of Electricity Act, 2003 read with Regulation 156 of U.P. Electricity Regulatory Commission (Conduct of Business) Regulation, 2004 for approval of power procurement and adoption of tariff for 200 MW wind power discovered under section 63 of Electricity Act, PSA executed on 24.11.2017 between UP Power Corporation Limited and Solar Energy Corporation of India, under 2<sup>nd</sup> Phase (Trenche-II) 1000 MW, ISTS connected wind power projects under provisions of request of RFP issued by SECI.

M/s Uttar Pradesh Power Corporation Ltd. (Through its Managing Director)

7<sup>th</sup> Floor, Shakti Bhawan, Extnn, 14-Ashok Marg, Lucknow

..... **Petitioner**

The following were present:

1. Shri S.K.Sinha, CE, PPA, UPPCL
2. Shri Abhishek kumar, Advocate, UPPCL
3. Shri C.P. Maurya, AE, ,UPPCL
4. Shri Atulya Kumar Naik, AGM, SECI

.....**Respondents**



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**ORDER**  
**(Date of Hearing 05.12.2019)**

During the last hearing held on 01.11.2019, Commission vide order dated 22.11.2019 had allowed the Petitioner, UPPCL to rectify inadvertent error in submission of PSAs as observed by the Commission from the documents available on record.

The matter came up for hearing today.

Shri S.K. Sinha, representative of the Petitioner, UPPCL submitted that the error has been rectified and an affidavit has been filed on 03.12.2019 along with PPAs mapped for UPPCL. Shri Sinha also submitted copy of the CERC Order dated 03.12.2019 in Petition No. 369/AT/2019 vide which the tariff for 1000 (MW) (Trench-II) wind power projects has been adopted by CERC. Shri Atulya Kumar Nayak, representative of SECI confirmed the same.

The Commission observed that the PPAs mapped to the petitioner are available on record and CERC has adopted the Tariff for 1000 (MW) (Trench-II) wind power projects vide its order dated 03.12.2019. The Commission also observed the following from CERC Order dated 03.12.2019:-

*"Trading Margin Regulations do not provide for any trading margin for long term transactions and, therefore, it is up to the contracting parties to mutually agree on trading Margin, if any in such cases. In any case, the Commission does not fix Trading Margin on case to case basis. The spirit of the Act read with the Trading Margin Regulations gives freedom and choice to the contracting parties to mutually agree on Trading Margin for any kind of trading transaction, subject to the ceiling of Trading Margin, whenever applicable."*

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Upon the query of the Commission regarding trading margin, the Petitioner and SECI representative submitted that the trading margin of Rs. 0.07 Paisa/Unit has been agreed to in the PSA between the parties.

The Commission directed the Petitioner and SECI to file a joint affidavit for trading margin agreed between the parties. The final order shall be issue thereafter.

(Kaushal Kishore Sharma)  
Member

(Raj Pratap Singh)  
Chairman

Place: Lucknow  
Dated: 10.12.2019

