



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Petition No. 2338 of 2026**

**QUORUM**

Hon'ble Shri Arvind Kumar, Chairman  
Hon'ble Shri Sanjay Kumar Singh, Member

**IN THE MATTER OF:**

Petition under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003 read with Regulation 15 of the UPERC (Conduct of Business) Regulations, 2019, read along with the extant guidelines issued by the Ministry of Power for approval of bidding documents including Request for Qualification, Request for Proposal, and Power Supply Agreement for invitation of e-Tender on DEEP Portal for Long Term Procurement of 4000 MW Power on Design, Build, Finance, Own and Operate basis by sourcing fuel under B(IV) of SHAKTI Policy, 2017.

**AND**

**IN THE MATTER OF:**

**Uttar Pradesh Power Corporation Limited (UPPCL),**  
Shakti Bhawan, 14- Ashok Marg, Lucknow-226001

..... **Petitioner**

**CORRIGENDUM**

1. The treatment of ISTS losses at paragraph 88 and 89 of the Order dated 17.06.2026 in Petition No. 2338 of 2026 shall be read as follows:

As in Order dated 17.06.2026	Revised in current corrigendum order
88. Regarding ..... their price bid considering ceiling limit of 70% on total tariff.	88. Regarding ..... their price bid considering ceiling limit of 70% on total tariff. <b>The Commission directs that ISTS losses shall not form part of the Fuel Charge. Bidders shall account for the impact of all transmission losses upto Delivery point including ISTS losses on total tariff within their quoted Fixed Charge and shall not quote losses as a separate component.</b>
89. In line with the standard practice followed in DBFOO tenders, the Commission directs that <b>Transmission Charges and Transmission Losses</b> shall be considered only for the ..... <b>Both ISTS Charges and ISTS Losses</b> are to be notified by UPPCL in terms of Rs./kWh. ....	89. In line with the standard practice followed in DBFOO tenders, the Commission directs that <b>ISTS Charges</b> shall be considered only for the ..... <b>ISTS Charges</b> are to be notified by UPPCL in terms of Rs./kWh. .... <b>The Petitioner is directed to make necessary changes in the bidding documents on this account.</b>

2. The definition of tariff given at paragraph 90 of the Order dated 17.06.2026 in Petition No. 2338 of 2026 shall be read as follows:

"Tariff (Rs/kWh) = Fixed Charge (Rs/kWh) + Fuel Charge (Rs/kWh) + ISTS Charges (Rs/kWh)

Wherein: - ....."

3. The issue No. 6 in table at paragraph 96 of the Order dated 17.06.2026 in Petition No. 2338 of 2026 shall be read aligning to paragraph 90 of the Order as follows:



by

2



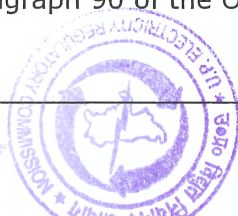
As in Order dated 17.06.2026	Revised in current corrigendum order
<p align="center"><b><u>Rulings of the Commission</u></b></p> <p><b>Approved.</b> The ceiling ..... 05.03.2019.</p> <p>Since, the bidding is called from the projects located anywhere in India, the <b>addition</b> tariff component viz. <b>ISTS charges and transmission losses</b> to be considered for the evaluation purpose.</p> <p><b>Moreover, consideration of such charges for computing ceiling of Fixed Charges would affect the fairness of competitive bidding process. Hence, the Commission clarifies that, for the purpose of computation of ceiling of Fixed Charges, the total tariff shall ....., wherein, Base Fuel Charge will comprise of cost of fuel and cost of transportation only.</b></p>	<p align="center"><b><u>Rulings of the Commission</u></b></p> <p><b>Approved.</b> The ceiling ..... 05.03.2019.</p> <p>Since, the bidding is called from the projects located anywhere in India, the <b>additional</b> tariff component viz. <b>ISTS charges</b> to be considered for the evaluation purpose. <b>However, all transmission losses upto Delivery point including ISTS losses shall be factored by the bidders in their quoted Fixed Charges and shall not be allowed as a separate component. UPPCL shall not notify ISTS losses for any purpose and the bidders are required to consider the same at their own assessment.</b></p> <p>The Commission clarifies that, for the purpose of <b>determining compliance with the prescribed</b> ceiling on Fixed Charges, the Total Tariff shall ....., <b>The Base Fuel Charge shall include only the cost of coal &amp; secondary fuel oil, cost of washing and cost of transportation. The Petitioner is directed to make necessary changes in the documents on this account.</b></p>

4. The issue No. 9 in table at paragraph 96 of the Order dated 17.06.2026 in Petition No. 2338 of 2026 shall be read aligning to paragraph 90 of the Order as follows:

As in Order dated 17.06.2026	Revised in current corrigendum order
<p align="center"><b><u>Rulings of the Commission</u></b></p> <p><b>Requires to be modified.</b> Article 5.5 .....Base Fixed Charges.</p> <p>Further, consideration of <b>transmission losses</b> as part of Fuel Charge .....</p> <p>In line ....., the Commission directs that <b>Transmission Charges and Transmission Losses</b> shall be considered only for the purpose of bid evaluation to determine the landed cost of power. <b>Both ISTS Charges and ISTS Losses</b> are to be notified by UPPCL in terms of Rs./kWh.</p>	<p align="center"><b><u>Rulings of the Commission</u></b></p> <p><b>Requires to be modified.</b> Article 5.5 .....Base Fixed Charges.</p> <p><i>(new para)</i> <b>Further, any intra-state transmission charges, if applicable for the projects located outside State of U.P. shall be included by the Bidder over and above ISTS charges while quoting the tariff.</b></p> <p>Further, consideration of <b>ISTS losses</b> as part of Fuel Charge .....</p> <p>In line ....., the Commission directs that <b>ISTS Charges</b> shall be considered only for the purpose of bid evaluation to determine the landed cost of power <b>and not for computation of ceiling Fixed Charges and Fuel Charges.</b> ISTS Charges <b>for the purpose of evaluation</b> are to be notified by UPPCL in terms of Rs./kWh. <b>The Petitioner is directed to make necessary changes in the documents on this account.</b></p>

5. The issue No. 10 in table at paragraph 96 of the Order dated 17.06.2026 in Petition No. 2338 of 2026 shall be read aligning to paragraph 90 of the Order as follows:

*by*



*3*



As in Order dated 17.06.2026	Revised in current corrigendum order
<p align="center"><b><u>Rulings of the Commission</u></b></p> <p><b>Approved with part modification:</b> The Commission ..... Accordingly, the quoted tariff shall <b>comprise of</b> the following elements:</p> <p><i>Tariff (Rs/kWh) = Fixed Charge (Rs/kWh) + Fuel Charge (Rs/kWh)</i> Wherein: - .....</p>	<p align="center"><b><u>Rulings of the Commission</u></b></p> <p><b>Approved with part modification:</b> The Commission ..... Accordingly, <b>for the purpose of identifying lowest bidder (L1)</b>, the Quoted Tariff shall <b>be computed using</b> the following elements: <i>Tariff (Rs/kWh) = Fixed Charge (Rs/kWh) + Fuel Charge (Rs/kWh) + <b>ISTS Charges (Rs/kWh)</b></i> Wherein: - .....</p>

6. The timeline specified in third paragraph in the Rulings of the Commission at the issue No. 11 in table at paragraph 96 of the Order dated 17.06.2026 in Petition No. 2338 of 2026 shall be read as follows:

..... Scheduled Completion Date for the first unit to **54 (Fifty-Four) months** from the Appointed Date ....."

7. The issue No. 13 in table at paragraph 96 of the Order dated 17.06.2026 in Petition No. 2338 of 2026 shall be read aligning to paragraph 44 of the Order as follows:

As in Order dated 17.06.2026	Revised in current corrigendum order
<p align="center"><b><u>Rulings of the Commission</u></b></p> <p><b>Partly Amended.</b> ISBs have emerged ..... power procurement. <b>Since ISBs have already been allowed to be an alternate to PBGs in the Bidding Guidelines for Procurement of Inter-State Transmission Services, Wind, Solar, Hybrid &amp; FDRE power, it would only be logical to allow bidders to avail of ISBs as an acceptable for of Bid Security/Performance Security.</b></p>	<p align="center"><b><u>Rulings of the Commission</u></b></p> <p><b>Partly Amended.</b> ISBs have emerged ..... power procurement. <b>The Commission hereby approves the use of ISBs for Bid Security, not for the purpose of Performance Security in the instant procurement process. Consequently, the Petitioner is directed to suitably amend the tender documents to incorporate necessary provisions for acceptance of ISBs, ensuring alignment with the General Financial Rules, 2017 and latest directives of Ministry of Power.</b></p>

  
(Sanjay Kumar Singh)  
Member



  
(Arvind Kumar)  
Chairman

Place: Lucknow  
Dated: 30.06.2026