



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Petition No. 2139 of 2024**

**QUORUM**

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

**IN THE MATTER OF**

Petition under Clause 38 of the UPERC (Terms & Condition for Open Access) Regulation 2019, seeking permission for Grant of Connectivity and approval of Open Access for its proposed 10 MW Grid Connected Solar Power Plant being set up at STP Campus, Bharwara, Lucknow, U.P.

**AND**

**IN THE MATTER OF**

**Uttar Pradesh Jal Nigam (Urban)**

6, Rana Pratap Marg, Lucknow – 226001

Through Its Authorised Representative

..... Petitioner

**VERSUS**

1. **Uttar Pradesh Power Corporation Limited**, Shakti Bhawan, 7<sup>th</sup> Floor, 14-Ashok Marg, Lucknow, through its Managing Director.
2. **Uttar Pradesh New & Renewable Energy Development Agency**, Vibhuti Khand, Gomti Nagar, Lucknow.
3. **Uttar Pradesh State Load Despatch Centre**, Vibhuti Khand-II, Gomti Nagar, Lucknow, through its Director.
4. **Chief Engineer (Power Purchase Agreement)**, UPPCL, Shakti Bhawan, Ashok Marg, Lucknow.

..... Respondent

by





## THE FOLLOWING WERE PRESENT

1. Sh. Ajal Vikram Singh, Advocate, Petitioner
2. Sh. Himanshu Yadav, EE, Petitioner

## ORDER

(DATE OF HEARING: 11.02.2025)

1. Petitioner/U.P. Jal Nigam (Urban) is an organization of the Government of Uttar Pradesh and it works for the water and sewage services for public at large.
2. Petitioner proposes to set up a 10 MW Capacity Solar Power Plant at its premises at STP Campus, Bharwara, Lucknow and consume the electricity so generated in its 22 SPS and 1 STP, all located in the City of Lucknow. The Scheme has been approved under Amrut 2.0 program of GOI.
3. Petitioner has made a request for Open Access as it will help the petitioner, UP Jal Nigam (Urban), in reducing the electricity expenses thereby saving the public money that may be utilized in other Government Projects & Schemes to serve the people of the city. At present, petitioner spends around Rs.250 Lakh monthly on electricity bills on its SPS & STP situated in the city of Lucknow.
4. According to Regulation 7-1 of UPERC Regulation 2019, open access could be granted to a consumer who has a contracted demand of 1 MW or above and is connected through 11KV and above.
5. Central Government has framed the Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules 2022. Proviso to Rule 5(2) of above rules provides that consumers who have contracted demand or sanctioned load of 100 KW and above shall be eligible to take power through Green Energy Open Access (GEOA) and there shall be no limit for captive consumers taking power under Green Energy Open Access.
6. Since the GEOA Rules 2022 and Amendment Rules 2023 have not been incorporated by UPERC therefore, the petitioner approached the Commission and invoked the inherent powers of the Commission as provided in clause 57 of

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the UPERC Conduct of Business Regulation 2019 for relaxing the fixed contracted demand of min.1 MW.

7. Out of the 22 SPS located in Lucknow only 03 SPS viz Kukrail, Gawari & Daulatganj have a contracted demands in excess of 1 MW. Rest of the SPSs have contacted demand of less than 1 MW.
8. DPR of the above project has been approved by the PDAED subject to the permission for the adjustment of electricity so produced from the Electricity Department. Petitioner has made a representation in this regard to the MD UPPCL & CE (PPA).
9. The Instant Petition is filed by the Petitioner under Clause 38 of the UPERC (Terms & Condition for Open Access) Regulation 2019, seeking permission for Grant of Connectivity and approval of Open Access for its proposed 10 MW Grid Connected Solar Power Plant being set up at STP Campus, Bharwara, Lucknow, U.P. The prayers of the Petition are as follows:
  - (i) Relax the norm of fixed contracted demand of minimum 1 MW as prescribed under Regulation 7-1 of UPERC Open Access Regulation 2019 and allow open access facility to the petitioner for its 22 SPS and 01 STP situated in Lucknow.
  - (ii) Any other relief which this Hon'ble Commission deems fit in the circumstances of the case may be granted in favour of the petitioner.

**Hearing dated 11.02.2025**

10. The matter was listed on admission. During the hearing, Sh. Ajai Vikram Singh, Counsel appearing on behalf of Petitioner, submitted that it is just and necessary to relax the fixed contracted demand of minimum 1 MW provided under Regulation 7.1 of UPERC Open Access Regulations 2019 and allow open access facility to the petitioner for its 22 SPS and 01 STP situated in Lucknow, keeping in view the Electricity (Promoting Renewable Energy through Green Energy Open Access) Rules 2022.
11. The Commission observed that an amendment to UPERC Open Access Regulations 2019, capturing the spirit of Green Energy Open Access Rules 2022,

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is in the process of publication after completion of public consultation process etc., which is likely to accommodate the petitioner's prayer within its ambit.

12. The Commission disposes the present petition with the liberty to file a fresh petition, if the petitioner's issues remain unaddressed even after the issuance of UPERC (Terms and Condition for open Access) (First amendment) Regulations, 2024.
13. Accordingly, the Petition is disposed of.

**(Sanjay Kumar Singh)**  
**Member**

  
**(Arvind Kumar)**  
**Chairman**

Place: Lucknow

Dated: 11.03.2025