



Petition No 903 of 2013

**BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Date of Order : 09.09.2013

IN THE MATTER OF: Power Purchase Agreement for purchase of 240 MW of electricity on long term basis under Case - I tariff based competitive bidding procedure as per guidelines issued by Government of India (GoI).

AND

IN THE MATTER OF

Essar Power (Jharkhand) Limited,
Prakash Deep Building, 10th Floor
7, Tolstoy Marg, New Delhi -110001

-----Petitioner

Noida Power Company Limited
Commercial Complex,
H-Block, Alpha-II Sector
Greater Noida - 201308

-----Respondent

The following were present:

1. Sri J.N.Mathur, Sr. Advocate, Essar Power
2. Sri Dhruv Mathur, Advocate, Essar Power
3. Sri Sumant Nayak, Advocate, Essar Power
4. Sri Abhayjit Sinha, Sr. Manager, Essar Power
5. Sri Faraz Maqbool, Advocate, Essar Power
6. Sri R.C.Agarwala, MD & CEO, NPCL
7. Sri A.K.Arora, NPCL
8. Sri Alok Sharma, NPCL
9. Sri Vishal Gupta, Advocate, NPCL



Order
(Date of Hearing 06.09.2013)

1. In compliance to Hon'ble High Court, Lucknow Bench order dated 29.08.2013 passed in writ petition no. 7612 (M/B) of 2013, the hearing was conducted.
2. The issue of admissibility was discussed by the parties. Both were directed by the Commission to file their arguments in writing within three days. The Petitioner was also directed to file their counter in writing on reply of the Respondent with a copy to the Respondent who may file rejoinder accordingly.
3. The application of interim relief to maintain status quo was opposed by the Respondent. But since the matter on merit arising out of the issues brought through the petition are still to be dealt at length by the Commission, it would be prudent to hear the parties after submission and examination of documents, subject to submission of returnable assured additional performance guarantee by the Petitioner as per the conditions of the PPA. Till then the Respondent shall withhold their letters mentioned in the application of the Petitioner.
4. The next date of hearing shall be intimated through notice separately.

(Meenakshi Singh)
Chairperson

Place : Lucknow
Dated: 09.09.2013