THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2150 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Regulation 16 along-with other relevant provisions of the Uttar Pradesh Electricity Regulatory Commission (Terms and Conditions of Generation Tariff) Regulations, 2019 read with the amendments thereof and Regulation 15 of the Uttar Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2019, for truing-up of Annual Revenue Requirement and final Generation Tariff determined under the MYT Order dated 21.09.2022 in Petition No. 1531 of 2019, for supply of 187 MW Gross Contracted Capacity for the Tariff Period FY 2019-24 from Unit 2 of 2 x 300 MW Coal-based thermal generating station of Dhariwal Infrastructure Limited located at Tadali, Chandrapur in the State of Maharashtra to Noida Power Company Limited, under the long-term Power Purchase Agreement dated 26.09.2014 along with Addendum dated 04.09.2019, approved by this Hon'ble Commission vide its Order dated 20.04.2016 read with the Order dated 15.01.2016 passed in Petition No. 971 of 2014.

AND

IN THE MATTER OF

Dhariwal Infrastructure Ltd. (DIL)

Registered Office: CESC House

Chowringhee Square, Kolkata – 700001, West Bengal **.....Petitioner**

Versus

Noida Power Company Ltd. (NPCL)

Electric Sub-station, Knowledge Park – IV, Greater Noida, Gautam Buddha Nagar,

Uttar Pradesh – 201 310. **.....Respondent**

THE FOLLOWING WERE PRESENT

1. Ms. Srishti Rai, Advocate, NPCL
2. Ms. Shikha Ohri, Advocate, DIL
3. Shri Rama Shankar Awasthi, Consumer

ORDER

(DATE OF HEARING: 10.07.2025)

1. The Commission, vide its earlier Order dated 06.06.2025, allowed four weeks' time to NPCL to file their reply and thereafter three weeks for DIL to file their rejoinder. On 04.07.2025, NPCL filed its reply.

2. During the hearing today, Ms. Shikha Ohri, Advocate of DIL, requested the Commission for an additional week to submit its rejoinder to NPCL's reply dated 04.07.2025.

3. Sh. Rama Shankar Awasthi, a consumer of distribution licensee for the area of Greater Noida, has filed an impleadment application. Sh. Awasthi submitted that being a consumer of NPCL he would be affected by the tariff and therefore, he should be permitted to participate in the proceedings. Additionally, Sh. Awasthi, submitted that the Commission should conduct a public hearing in the matter of true-up petition.

4. On specific query of the Commission to the Advocate of the Petitioner regarding any objections to the impleadment of Sh. Awasthi, Ms. Ohri replied that they did not have any objection to the impleadment of Sh. Awasthi. She also submitted that it was only true-up of the tariff already allowed by the Commission in MYT Petition No. 1531 of 2019.

5. The Commission notes that Sh. Awasthi had earlier participated in the proceedings of MYT Petition No. 1531 of 2019 and issues raised by him were addressed in MYT Order dated 21.09.2022. However, there being no objection from the Advocate of the Petitioner, the Commission permits the impleadment application of Sh. Awasthi. The Commission directs the Petitioner to provide a copy of the true-up petition to Sh. Awasthi.

6. Regarding the request from Sh. Awasthi for a public hearing in the matter, the Commission observed that as per the Conduct of Business Regulations, in the discharge of its functions under the applicable legal framework, it may allow any association/ other bodies corporate or any group of consumers to participate in any proceedings before the Commission. Therefore, while framing Regulations, for determination of multiyear tariffs, it holds public hearings. During these public hearings opportunity is provided to all stakeholders to give their suggestions/ comments/ objections and the Commission considers the issues raised by the stakeholders. Under the applicable legal framework, it is not necessary for the Commission to hold a public hearing while considering the true-up petition for the generation tariff, however, any individual permitted by the Commission, including consumers or consumer associations may participate in the proceedings if it adds value to the proceedings. As the impleadment application is already allowed, we do not find it necessary to have a public hearing in the present case.

7. The Commission accepts the Petitioner's request and allows one weeks' time to the Petitioner to file their rejoinder. Sh. Awasthi is allowed one weeks' time for filing his reply to the true-up petition. The Commission allows the Petitioner/ Respondent to submit their responses to Sh. Awasthi's reply within two weeks.

List the matter for next hearing on 12.08.2025.

(Sanjay Kumar Singh)
Member

(Arvind Kumar)
Chairman

Place: Lucknow
Dated: 23 .07.2025