



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2221 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section 86(1)(a) & (b) of the Electricity Act, 2003 read with Regulation 15 of the UPERC (Conduct of Business) Regulations, 2019 and Regulation 5 of the UPERC (Captive and Renewable Energy Generating Plants) Regulations 2019, on behalf of UPPCL for approval of Supplementary PPA dated 10.07.2020 entered into between M/s Spaak Bresson Private Limited and UPPCL as well as Supplementary PPA dated 28.04.2025, for supply of 21MW power from 24.70MW MSW-based power plant at Kuberpur, Agra, Uttar Pradesh.

AND

IN THE MATTER OF:

Uttar Pradesh Power Corporation Ltd. (UPPCL),

Through Superintending Engineer- PPA,

Shakti Bhawan, 14-Ashok Marg, Lucknow-226001.

..... Petitioner

Versus

M/s Spaark Bresson WTE Private Ltd. (SBWPL),

Villa No. 4, GF, Block V, Eros Garden, Charmwood Village,

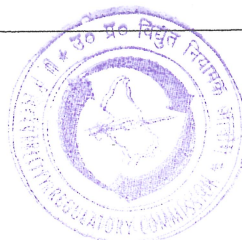
Faridabad, Haryana - 121009

.....Respondent

FOLLOWING WERE PRESENT

1. Sh. Manish Dwivedi, SE, UPPCL
2. Sh. Savyasachi Saumitra, Advocate, UPPCL

by





3. Sh. Syed Abul Kasim Zaidi, Advocate, UPPCL
4. Sh. Punit Agarwal, CFO, SBWPL

ORDER

(DATE OF HEARING: 08.07.2025)

1. The Petitioner, Uttar Pradesh Power Corporation Ltd. (*hereinafter referred to as UPPCL*), has filed this Petition seeking approval of SPPA dated 10.07.2020 & 28.04.2025 executed with Späark Bresson Private Ltd (SBPL) & SBWPL respectively for procurement of 21MW power from 24.70MW MSW-based power plant located at Kuberpur, Agra. The prayers of the Petitioner are as follows:
 - a) Approve the Supplementary Power Purchase Agreement dated 10.07.2020, entered into between the UPPCL and SBPL.
 - b) Approve the Supplementary Power Purchase Agreement dated 28.04.2025, for supply of 21 MW power from 24.70 MW MSW-based power plant at Kuberpur, Agra, Uttar Pradesh, between the UPPCL and SBWPL.
 - c) Pass any further Order(s) as this Commission may deem fit in the facts and circumstances of the case.
2. During the hearing, Sh. Savyasachi Saumitra, Advocate of UPPCL submitted that instant matter pertains to approval of two SPPAs dated 10.07.2020 & 28.04.2025 executed with the Respondent. Sh. Saumitra further submitted that proposed project capacity has been increased to 24.7MW and accordingly the supply of power to UPPCL has been increased to 21MW and the extended SCOD has also been agreed to June 2026 under the SPPA dated 28.04.2025.
3. The Commission observes that, vide Order dated 18.01.2021 in Petition No. 1610 of 2020, it had held that Discoms were under obligation to purchase power from 'Waste to Energy' projects in terms of the National Tariff Policy 2016. The Commission had also approved the SCOD extension to August 2021, however, due to pending clearance required for the project, it had not approved the SPPA dated 10.07.2020 and had held that the parties may approach the Commission for approval of SPPA one month before the commissioning of the power project.

by.





4. Therefore, UPPCL is bound to purchase power from the Petitioner's 'Waste to Energy' projects and the parties have also agreed to the tariff of Rs. 6.90/kWh for a period of 12 months from the SCOD of June 2026 as per SPPA dated 28.04.2025. It would therefore be advisable that parties may approach the Commission within 3 months after achieving commercial operation/COD of its project with the requisite cost details and justifications.
5. Sh. Saumitra requested the Commission for withdrawal of the instant matter with a liberty to file afresh, if required. Respondent did not object to the withdrawal request of the UPPCL.
6. After hearing the parties, the Commission allows withdrawal of the instant matter with liberty to file afresh.

The Petition stands disposed of as withdrawn.

(Sanjay Kumar Singh)

Member

(Arvind Kumar)
Chairman

Place: Lucknow
Dated: 23.07.2025

