



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2405 of 2026

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

Hon'ble Shri Griesh Kumar Vaish, Member (Law)

IN THE MATTER OF

Petition under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003 and Regulation 15 of the UPERC (Conduct of Business) Regulations, 2019 seeking adoption of tariff discovered for a capacity of 62.50MW/250 MWh out of the total bid out capacity of 375 MW/1500 MWh to be supplied from Standalone Battery Energy Storage Systems established by successful bidders in the state of Uttar Pradesh with Viability Gap Funding (VGF) support under the Power System Development Fund (PSDF), and for approval of the Battery Energy Discharge Purchase Agreement dated 08.06.2026.

AND

IN THE MATTER OF

Uttar Pradesh Power Corporation Limited (UPPCL),

14th Floor, Shakti Bhawan Extension, 14-Ashok Marg, Lucknow-226001

...Petitioner

VERSUS

Agastya Solar UP1 Private Limited (ASUPL),

(A subsidiary of Agastya Green Energy Limited)

7th Floor, BN Corporate Park, Plot No 18, Sector 135, Noida,
Gautam Buddha Nagar-201301, Uttar Pradesh

...Respondent

FOLLOWING WERE PRESENT

1. Sh. Apoorva Misra, Advocate, UPPCL
2. Sh. Manish Dwivedi, CE (PPA), UPPCL





3. Sh. Anil Kumar, SE (PPA), UPPCL
4. Sh. Vijay Pratap Tiwari, EE (PPA), UPPCL
5. Sh. C.P Maurya, AE (PPA), UPPCL
6. Sh. Gouri Sankar, Consultant, UPPCL

ORDER

(DATE OF HEARING: 01.10.2026)

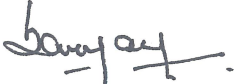
1. The Petitioner, UPPCL has filed this Petition for adoption of tariff for power procurement of 62.50MW/250MWh from Battery Energy Storage System (BESS) project under Tariff Based Competitive Bidding (TBCB) process and approval of Battery Energy Discharge Purchase Agreement (BEDPA) dated 08.06.2026. The Prayers of the Petitioner are as follows:
 - a) Admit the present Petition;
 - b) Adopt the tariff of Rs.6.45 per kWh for a contracted capacity of 62.50 MW/250MWh, discovered through the transparent competitive bidding process conducted by the Petitioner in accordance with the BESS Guidelines dated 10.03.2022, out of the total bid out capacity of 375 MW/1500 MWh to be supplied from Standalone Battery Energy Storage Systems established by successful bidders;
 - c) Approve the Battery Energy Discharge Purchase Agreement dated 08.06.2026, executed between the Petitioner, Uttar Pradesh Power Corporation Limited, and the Respondent, Agastya Solar UP1 Private Limited; and/or
 - d) Pass such other and further order(s) as this Commission may deem fit and proper in the facts and circumstances of the case.
2. During the hearing, Sh. Apoorva Misra, learned Counsel of UPPCL, submitted that instant Petition pertained to adoption of tariff discovered under Section 63 of the Electricity Act, 2003 and approval of BEDPA dated 01.06.2026 executed with the Respondent out of total bid-out BESS capacity of 375 MW/1500 MWh approved by the Commission vide Order dated 20.03.2026 in Petition No. 2344 of 2026. He further submitted that in addition to instant case, Petition No. 2403 of 2026 and 2404 of 2026 were also filed for adoption of remaining bid-out capacity.





3. The Commission sought clarification as to why the complete set of approved bidding documents have not been placed on record? The learned Counsel of UPPCL tendered an apology and sought short time to furnish the same. The Commission expressed its displeasure over the conduct of UPPCL and observed that certain relevant documents for this bidding process had not been provided with the Petition. The learned counsel of UPPCL, while admitting the mistake, requested the Commission for a short time to place on record the requisite documents by way of additional affidavit.
4. Having heard the matter, the Commission admits the Petition and directs UPPCL to furnish following within two weeks' time from the date of the Order:
 - a) Copy of draft PPA as approved by the Commission vide Order dated 20.03.2026.
 - b) Copy of 'Newspaper Advertisement' published for this Bidding notification.
 - c) A detailed chronology of events and its description in this bidding process along with the all corrigenda issued.
 - d) Complete copy of the minutes of the Bid Evaluation Committee including its annexures; and
 - e) Copy of system-generated e-Reverse Auction result with timestamp in this bidding process.
5. Subject to the above-mentioned submissions by UPPCL, the Commission reserves the Order in the matter.


(Griesh Kumar Vaish)
Member (Law)


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 08.10.2026

