THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2409 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 86(1)(a) of the Electricity Act, 2003, read with Regulation 15 and other applicable and relevant provisions of the UPERC (Conduct of Business) Regulations 2019, read with Regulation 19 and other applicable and relevant provisions of the UPERC (Captive and renewable energy generating plants) Regulations, 2024, seeking clarification regarding the applicability and continuation of tariff adjustment/deduction on account of utilization of existing transmission infrastructure for evacuation of power from additional generating capacity commissioned under Supplementary Power Purchase Agreements in light of the UPERC (captive and renewable energy generating plants) Regulations, 2024.

AND

IN THE MATTER OF

Uttar Pradesh Power Corporation Limited (UPPCL),

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

VERSUS

M/s DCM Shriram Ltd. (DSL),

Plot No. 82, Institutional Area, Sector-23, Gurugram, Haryana -122001 ...Respondent

FOLLOWING WERE PRESENT

1. Sh. Mohd. Altaf Mansoor, Advocate, DSL
2. Sh. Rajeev K Bharati, AVP-Legal, DSL
3. Sh. Divyanshu Bhatt, Advocate, UPPCL

4. Sh. Prakher Shukla, Advocate, UPPCL
5. Sh. Manish Dwivedi, CE (PPA), UPPCL
6. Sh. Anil Kumar, SE (PPA), UPPCL
7. Sh. Vikas Gupta, EE (PPA), UPPCL
8. Sh. Deepak Mishra, EE (EIEPC), UPPCL
9. Sh. Srijan Singh, AE (PPA), UPPCL

ORDER

(DATE OF HEARING: 27.10.2026)

1. The Commission, vide its earlier Order dated 16.09.2026, admitted the Petition and allowed three weeks' time to UPPCL to file its affidavit for the queries raised by the Commission. The Respondent was allowed to file its reply within-four weeks' time.

2. During the hearing today, Sh. Divyanshu Bhatt, learned counsel for UPPCL, submitted that an additional affidavit was filed on 15.10.2026 in compliance to the queries raised by the Commission during the previous hearing. He further submitted that UPPCL believed that provisions for tariff adjustment on account of utilization of existing transmission infrastructure as provided in the CRE Regulations, 2014 and 2019 would also continue in the CRE Regulations, 2024, which led to failure in submitting comments on draft CRE Regulations, 2024. The learned counsel tendered apology for the same. He also argued that besides the Respondent, there was one more generating company i.e., M/s DSCL Sugar- Hariyawan Unit, having similar situation.

3. Md. Altaf Mansoor, learned counsel for DSL objected on the maintainability of the Petition as the Petitioner was seeking a change in the existing Regulations through Order of the Commission. Sh. Bhatt argued that UPPCL by way of instant Petition is only seeking clarification from the Commission. Md. Altaf, the learned counsel also submitted that there would be more co-generating units having similar issues.

4. The Commission directed UPPCL to properly identify all other generating plants having similar issue and implead them in the Petition. The Commission also directed UPPCL to share copy of Petition to such parties so that the matter could be decided collectively. The leaned Counsel for UPPCL sought two weeks' time for the same. The Commission directed office to issue notice to the impleaded party/parties.

5. The Commission allowed two weeks' time to UPPCL to file its submission and four weeks' time to the Respondent(s) to file their reply.

6. List the matter for next hearing on 05.01.2027.

(Griesh Kumar Vaish)	(Sanjay Kumar Singh)	(Arvind Kumar)
Member (Law)	**Member**	**Chairman**

Place: Lucknow

Dated: 29.10.2026

