THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2423 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 Sections 63 read with sections 86(1)(b) and 86(1)(e) of the Electricity Act, 2003 and clause 5 of the Tariff Based Competitive Bidding Guidelines for Procurement of Storage Capacity/Stored Energy from Pumped Storage Plants dated 06.02.2025 issued by the Ministry of Power, Government of India, seeking approval of deviations from the standard bidding guidelines in the draft Request for Selection for setting up a minimum 640 MW Pumped Hydro Storage Plant using the Upper Reservoir at Rihand Dam and the Lower Reservoir at Obra Dam in the district of Sonebhadra, Uttar Pradesh, on a Tariff-Based Competitive Bidding basis.

AND

IN THE MATTER OF

U.P. Rajya Vidyut Utpadan Nigam Ltd. (UPRVUNL),

(Through its Authorised Representative),

Shakti Bhawan Extn., 14-Ashok Marg, Lucknow– 226002. **...Petitioner**

FOLLOWING WERE PRESENT

1. Sh. Divyanshu Bhatt, Advocate, UPRVUNL
2. Sh. Abhayaditya Singh, Advocate, UPRVUNL
3. Sh. Shashwat Singh, Advocate, UPRVUNL
4. Sh. Manish Dwivedi, CE-PPA, UPPCL
5. Sh. D.B. Yadav, CE(NP&C), UPRVUNL
6. Sh. K.C. Verma, EE(NP), UPRVUNL
7. Sh. Sanjay Kumar, SE(NP), UPRVUNL

ORDER

(DATE OF HEARING: 15.10.2026)

1. The Petitioner, UPRVUNL has filed this Petition seeking approval of the bidding documents i.e., draft Request for Selection, draft Power Purchase Agreement and draft Power Sale Agreement for the procurement of 640MW by UPPCL from PSP project to be established at Sonebhadra (District), Uttar Pradesh under TBCB Section 63 of the Electricity Act, 2003. The Petitioner has made the following Prayer(s):

    a. Admit the instant Petition.

    b. Approve the draft Request for Selection, including the draft Power Purchase Agreement and draft Power Sale Agreement, and deviations therein from the model bidding documents, as submitted along with the present Petition at Annexure P-1;

    c. Approve the overall procurement of 640 MW Pumped Hydro Storage Plant using the Upper Reservoir at Rihand Dam and the Lower Reservoir at Obra Dam in the district of Sonebhadra, Uttar Pradesh, on a Tariff-Based Competitive Bidding basis; and

    d. Pass any other and further order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

2. During the hearing, Sh. Divyanshu Bhatt, learned Counsel for UPRVUNL submitted that instant Petition pertains to approval of tender document for 640 MW PSP to be installed at location between Rihand and Obra dam in the district Sonebhadra. Heard. Petition is admitted for hearing. On specific query of the Commission regarding proposed trading margin proposed at Article 1.1 of the draft PSA, learned Counsel of UPRVUNL responded that UPRVUNL as an intermediary procurer proposes administrative charges only while trading margin proposed would be zero. The Commission observed that if no trading margin was envisaged then there was no requirement of specifying any provisions related to the trading margin.

3. The Commission further sought clarification as to why UPPCL was not made bid inviting agency instead of UPRVUNL because UPPCL being the end procurer has experience of inviting successful bid in the past and would be in better fit of the things to supply

charging power for water uplifting. The Commission also observed that UPPCL, being the end procurer for this 640MW PSP power, has to be impleaded, learned Counsel of UPRVUNL responded that he will amend the memo of parties and implead UPPCL in the matter. The learned Counsel of UPRVUNL sought short time to review the tender documents in response to the Commission's query regarding any approval for UPRVUNL being intermediary procurer.

4. In compliance of observation of the Commission, Petitioner moved an application to implead UPPCL as respondent. Having heard the matter, the Commission allows UPRVUNL's request to implead UPPCL and grants six weeks' time to UPPCL to file its reply. Meanwhile UPRVUNL may revisit as to whether UPPCL would be better positioned to invite these bids.

   List the matter for next hearing on 22.12.2026.

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

Place: Lucknow
Dated: 18.11.2026