



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

IA No. 1/2025 in Petition No. 967/2014, 968/2014 and 1016/2015

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Application under section 94 (2) of the Electricity Act, 2003 read with Regulation 5(3) and 5(5) of the UPERC (Terms and Conditions of Generation Tariff) Regulations, 2009, Regulation 57 of the UPERC (Conduct of Business) Regulations 2019 and Article 12 of the PPA seeking implementation of the common Judgment dated 30.05.2025 passed in Appeal no. 357 of 2017 and Appeal no. 22 of 2018 by the Hon'ble Appellate Tribunal for Electricity and consequential reliefs arising there from.

AND

IN THE MATTER OF

Rosa Power Supply Company Ltd. (RPSCL)

Reliance Centre, Ballard Estate, Mumbai, Maharashtra- 400001

..... Petitioner

VERSUS

U.P. Power Corporation Ltd. (UPPCL)

Shakti Bhawan, 14-Ashok Marg, Lucknow-226001

..... Respondent

FOLLOWING WERE PRESENT

1. Ms. Surbhi Kapoor, Advocate, RPSCL
2. Sh. Sumeet Notani, AVP, RPSCL
3. Sh. Siddhant Shekhawat, DGM, RPSCL
4. Sh. Deepak Raizada, Director, UPPCL
5. Sh. Anil Kumar, EE, UPPCL
6. Sh. Jagnayak Singh, SE-PPA, UPPCL
7. Ms. Nipun Sharma, Advocate, UPPCL

by





8. Sh. Nitish Gupta, Advocate, UPPCL
9. Ms. Varnika Tyagi, Advocate, UPPCL

ORDER

(DATE OF HEARING: 31.07.2025)

1. The Petitioner, Rosa Power Supply Company Ltd. (RPSCL), has filed this application for implementation of the APTEL's Order dated 30.05.2025 in Appeal Nos. 357 of 2017 and 22 of 2018 against the Commission's MYT Order dated 22.08.2017 in Petition Nos. 967 of 2014, 968 of 2014, and 1016 of 2015.
2. The Petitioner has prayed the following:
 - a) Admit the present Application;
 - b) Pass consequential orders for allowance of claims of RPSCL in terms of the findings rendered by the Tribunal in Common Judgment dated 30.05.2025 passed in Appeal Nos. 357 of 2017 and 22 of 2018.
 - c) Approve the calculation done on the basis of the Common Judgment dated 30.05.2025 passed in Appeal Nos. 357 of 2017 and 22 of 2018.
 - d) Pass consequential directions towards recovery of the total claim of Rs.2078.90 Cr to RPSCL within a period of 6 months from the Month of July, 2025 in terms of Regulation 5(5)(v) and (vi) of the 2009 Tariff Regulations (as amended in 2012);
 - e) Grant liberty to RPSCL to file separate petition for consequential impact on Annual Fixed Charges and/or Variable Charges for the period from Financial Year 2014-2015 and beyond on account of Common Judgment dated 30.05.2025 passed in Appeal Nos. 357 of 2017 and 22 of 2018 by the Tribunal;
 - f) Grant Carrying Cost on the aforesaid amounts at the LPSC rate on monthly compounding basis as stipulated in PPA, from the respective due dates till the date of actual realization by the Applicant; And/or
 - g) Pass any other Order(s) as it may deem fit in the interest of justice.
3. During today's hearing, Ms. Surbhi Kapoor, counsel for RPSCL, submitted that present application had been filed for implementation of the APTEL's order dated 30.05.2025 in

by



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Appeal Nos. 357 of 2017 and 22 of 2018 against Commission's MYT Order dated 22.08.2017. Counsel for RPSCL submitted that the APTEL had remanded the matter to the Commission on issues related to Interest on Working Capital (IoWC), Un-discharged Liabilities (UDL), Secondary Fuel Oil Consumption (SFOC) and carrying cost. Ms. Nipun Sharma, counsel for UPPCL, requested the Commission to grant time to review the claim sought by the petitioner and to file its reply. Additionally, she requested that the respondent be provided with the excel sheet (soft copy) of detailed calculations, for IoWC, UDL, SFOC and carrying cost, to facilitate the analysis of the claims and to put forth its own version on the claims. She also apprised the Commission that UPPCL had filed an appeal before the Hon'ble Supreme Court against the said order of the APTEL, along with an application of stay. She informed the Commission that the matter was listed for hearing before Hon'ble Supreme Court on the next day.

4. The Commission directs the petitioner to provide excel sheet (soft copy) of detailed calculations to the respondent within a week. The Commission also allows six weeks' time to the respondent to file their reply w.r.t. issues to be decided by the Commission and two weeks' time to the petitioner thereafter for filing of rejoinder.

List the matter on 30.10.2025.

(Sanjay Kumar Singh)

Member



(Arvind Kumar)

Chairman

Place: Lucknow

Dated: 04.08.2025