



Petition No. 1531 of 2020

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

(Date of Order: 03.09.2021)

IN THE MATTER OF:

Petition for Approval of Annual Revenue Requirement & Multi Year Generation Tariff for FY 2019-20 to FY 2023-24 for sale of 187 MW Capacity from 300 MW Unit 2 of Dhariwal Infrastructure Limited to Noida Power Company Limited

ADMITTANCE ORDER

(Date of hearing : 25.03.21)

1. As per provisions of Section 64 of the Electricity Act, 2003, it is incumbent upon the Generating Company to make an application to the State Electricity Regulatory Commission for determination of Tariff in such manner as may be specified by the Commission as per the applicable Regulations.
2. The Uttar Pradesh Electricity Regulatory Commission (Terms and Conditions of Generation Tariff) Regulations, 2019 were notified on September 11, 2019 (hereinafter referred to as "UPERC Generation Regulations, 2019") which are applicable for determination of Tariff from April 1, 2019 onwards up to FY 2023-24 [i.e., till March 31, 2024] unless extended by the Commission. Further, as per the provisions stipulated in Regulation 16, the Petition for True-Up and determination of Aggregate Revenue Requirement (ARR) and Tariff, complete in all respect, need to be filed by the Generating Company before the Commission.
3. The Petitioner has filed the Petition for determination of Aggregate Revenue Requirement for the Control Period FY 2019-20 to FY 2023-24 on 22.11.2019.
4. A preliminary analysis of the Petitions was conducted, wherein various deficiencies in respect of Annual Fixed charges, Statutory charges, additional capitalization, operational parameters etc. were observed and communicated to the Petitioner vide letters dated 13.11.2020 and 17.03.2021. The Petitioner submitted their response to the deficiencies in respect of ARR for FY 2019-20 to FY 2023-24 vide submissions dated 06.12.2020 and 29.03.2021.

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5. In view of above, the Commission admits the Petition for further processing with direction that the Petitioner shall furnish further information / clarifications, if any, as deemed necessary by the Commission during the processing of the Petition and provide the same to the satisfaction of the Commission within the time frame as stipulated by the Commission, failing which the Commission may proceed to dispose of the matter as it deems fit based on the information available with it.

6. The Petitioner in accordance with the Regulation 55 of UPERC (Conduct of Business) Regulations, 2019 shall

(i) Within three working days of issue of this Admittance Order, publish a Public Notice in one English and one Hindi daily newspapers having wide circulation in the area, outlining the details of the Petition with ARR and its components proposed, any capex proposed for the Control Period (FY 2019-20 to FY 2023-24) etc. and invite suggestions and objections from stakeholders within 15 days from the date of publication of the Public Notice(s) from the stakeholders and public at large.

(ii) The Petitioner shall also upload the Petition filed before the Commission on its website the along with all regulatory filings and related documents in searchable format. The Public Notice should also contain details of Petitioner's website and request the stakeholders and public at large to regularly check the website of the Petitioner for further submissions made in respect to these proceedings.

(iii) The Petitioner shall submit a copy of the original Newspaper clippings containing Public Notice to the Commission within a week from the date of this order.

7. The Commission, in wake of prevailing COVID-19 pandemic outbreak, which has led to restricted movement across the country, and due to the subsequent requirement of social distancing for prevention of spread of the disease, intends to hold the Public Hearing through Video Conferencing (VC) on the following dates:

Petitioner	Date of Hearing
DIL	5 th October 2021 - 11:00 hours

8. The details of the public hearing shall also be provided on the Commission's website www.uperc.org. All stakeholders who wish to participate in the Public Hearing shall send an e-mail on office@uperc.org latest by October

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3, 2021 providing their name, organization, designation, mobile number, email address to register themselves and shall follow the "Instructions For Public Hearings in UPERC through Video Conferencing" available on UPERC website (www.uperc.org). The participants will be heard by the Commission in a sequence and the same will be available on UPERC website.

9. All the Stakeholders who are participating in the Public Hearing through VC shall submit their written suggestions and objections in hard copies (one original + 5 sets of copies) to the Secretary, UPERC within three (3) days of the Public Hearing. The submission should also be sent in PDF and Word/Excel format on the email id: office@uperc.org.

10. Further, the Commission reserves the right to seek any further information / clarifications as deemed necessary during the processing of this Petitions.

(V. K. Srivastava)

Member

(Kaushal Kishore Sharma)

Member

(Raj Pratap Singh)

Chairman

Place: Lucknow

Date: 03.09., 2021

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