



**Petition No. 1763 of 2021**

**BEFORE  
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Date of Order: 21.12.2021**

**PRESENT:**

Hon'ble Shri Raj Pratap Singh, Chairman  
Hon'ble Shri Kaushal Kishore Sharma, Member  
Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

**IN THE MATTER OF** Petition U/s 61(d), 86(1)(e) And 181(zd) and other  
Relevant Provisions of the Electricity Act 2003, CRE  
Regulations, 2019 And PPA.

M/s Simbhaoli Power Pvt.Ltd.  
Through its Managing Director  
Unit-Chilwaria, Distt-Baharaich

..... **Petitioner**

AND

1. U.P. Power Corporation Ltd.  
through its Managing Director  
Shakti Bhawan, 14, Ashok Marg, Lucknow.
2. Madhyanchal Vidyut Vitran Nigam Limited  
4A, Gokhale Marg, Lucknow
3. The Chief Engineer  
Power Purchase Directorate  
Shakti Bhawan, 14, Ashok Marg, Lucknow

..... **Respondent**

The following were present:

1. Shri. D.D Chopra, Counsel SPPL
2. Shri. Divyanshu Bhatt, Counsel, UPPCL
3. Shri. Deepak Raizada, CE(PPA), UPPCL

**Order  
(Date of Hearing: 9.12.2021)**

1. The petitioner has PPA dated 26.4.07 to export 19 MW surplus power from its 20 MW bagasse based generating plant. Subsequently, the petitioner

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entered into SPPA dated 27.8.13 to supply 16 MW power out of its 18 MW bagasse based generating plant.

2. The petitioner intends to use blended fuel for supply of its power from its 18 MW plant at the proposed tariff of Rs.6.5/unit.
3. The petitioner has prayed as follows:
  1. fix tariff for mixed fuel of 20% Bagasse + 80% Biomass source used as fuel by the Petitioner to export 18 MW to Respondent No. 2, and further direct Respondents to allow the Petitioner to use mixed fuel of 20% Bagasse and 80% Biomass for export of 16 MW by suitably amending SPPA dated 27.08.2013. and, or
  2. Any other suitable order/relief allowed as deemed fit and proper under the facts and circumstances of the case may be passed/allowed by this learned Commission.
4. Shri. D.D Chopra submitted that the 18 MW plant is so designed that it can run efficiently on mixed fuel (bagasse blended with biomass) and due to increased prices / low availability of bagasse fuel it has proposed to mix 80% of biomass fuel. The petitioner has prayed before the Commission to fix tariff for mixed fuel supply.
5. Shri. Bhatt, Counsel of UPPCL submitted that the petition is not maintainable under legal provisions of EA,03 in which it has been filed.
6. The Commission directed UPPCL to file its reply on law and facts within 4 weeks and the petitioner to file its rejoinder within 2 weeks thereafter.

List the matter on 8.3.2022.

(Vinod Kumar Srivastava)  
Member

(Kaushal Kishore Sharma)  
Member

(Raj Pratap Singh)  
Chairman

Place: Lucknow

Dated: 21.12. 2021