



**Petition No. 1829 of 2022**

**BEFORE  
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION**

**LUCKNOW**

**Date of Order: 21.04.2022**

**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 under Section 63 of the Electricity Act, 2003 read with Clause 11.4 of the revised Guidelines for short-term (i.e. for a period of more than one day to one year) Procurement of Power by Distribution Licensees through Tariff based bidding process dated 30.03.2016 issued by Ministry of Power, for adoption of tariff for purchase of electricity by Noida Power Company Limited, a Distribution Licensee, from the Prospective/Successful Bidders pursuant to and in line with the tariff determined through a transparent and competitive e-Bidding Process through DEEP Portal adopted in accordance with the Guidelines.

Noida Power Company Limited,  
Plot No. ESS, Knowledge Park - IV,  
Greater Noida - 201 310,  
Uttar Pradesh

..... **Petitioner**

The following were present:

1. Shri Manoj Jain, NPCL
2. Shri Sanket Srivastava, NPCL
3. Shri Sarnath Ganguly, NPCL

**Order**

**(Date of Hearing: 29.03.2022)**

1. The Petitioner, Noida Power Company Limited ( "NPCL"), has filed the instant petition under Section 63 of the Electricity Act, 2003, in the matter of for purchase of power on DEEP Portal in accordance with the Revised Guidelines for short-term (i.e. for a period of more than one day to one year) Procurement of Power by Distribution Licensees through Tariff based bidding process dated 30.03.2016 issued by the Ministry of Power, Government of India ("Short-Term bidding Guidelines"), for adoption of tariff and approval of PPAs signed on 28.02.2022 for providing reliable and stable power supply to its consumers at reasonable cost.
2. The Petitioner has prayed as follows:



- i. Adopt the Tariff in view of Section 63 of the Electricity Act, 2003 read with Clause 11.4 of the Short-Term Bidding Guidelines to enable the Petitioner to supply reliable power to its consumers at reasonable cost;
- ii. Approve Power Purchase Agreements dated 26.02.2022.
- iii. Condone inadvertent omissions/errors/rounding-off differences/shortcomings, if any and permit the Petitioner to add/ alter this filing and make further submissions as may be required; and

### Background

3. NPCL estimated its load requirement for FY 2022-23 as follows:

Particulars	Apr-22 (MW)	May-22 (MW)	Jun-22 (MW)	Jul-22 (MW)	Aug-22 (MW)	Sep-22 (MW)	Oct-22 (till 20 <sup>th</sup> ) (MW)
Avg (RTC)	299	392	417	410	404	370	330
00-04	321	410	435	432	426	357	342
04-07	279	358	385	351	349	329	297
07-10	265	339	358	318	317	307	275
10-18	284	393	421	429	409	388	342
18-24	330	422	443	446	453	405	351

4. Considering the power tie-ups and load requirement, NPCL had floated three (3) tenders for purchase of power on Short Term Basis for FY 2022-23 and consequently on 19.01.2022 had filed three Petitions under Section 63 before the Commission for adoption of Tariff from Non- RE Power Sources, Hydro Sources and Thermal Sources detailed as below:

#### i. Conventional Power

##### a) Night Power Slot

Period	Duration (Hrs.)	Quantum at Delivery Point (MW)
01.04.2022 to 30.04.2022	00:00 to 04:00	65
01.05.2022 to 31.05.2022	00:00 to 04:00	35
01.06.2022 to 31.08.2022	00:00 to 04:00	55
01.10.2022 to 20.10.2022	00:00 to 04:00	50

##### b) RTC Power Slot

Period	Duration (Hrs.)	Quantum at Delivery Point (MW)
01.10.2022 to 20.10.2022	00:00 to 24:00	105

#### ii. Hydro Power with HPO

Period	Duration (Hrs.)	Quantum at Delivery Point (MW)
01.05.2022 to 30.06.2022	00:00 to 07:00 & 10:00 to 24:00	25
01.07.2022 to 31.07.2022		25
01.08.2022 to 30.09.2022		25





### iii. Non-Solar RE Power with RPO from May, 2022 to September, 2022

Period	Duration (Hrs.)	Quantum at Delivery Point (MW)
01.05.2022 to 31.05.2022	00:00 to 07:00	25
	10:00 to 24:00	25
01.06.2022 to 30.06.2022	00:00 to 07:00	25
	10:00 to 24:00	25
01.07.2022 to 31.07.2022	00:00 to 07:00	50
	10:00 to 24:00	50
01.08.2022 to 31.08.2022	00:00 to 07:00	25
	10:00 to 24:00	25
01.09.2022 to 30.09.2022	00:00 to 07:00	25
	10:00 to 24:00	25

- NPCL had floated a similar tender dated 11.12.2021 for same quantum, duration and period, however, the rates discovered on Deep Portal against the same was higher as compared to prevalent market rates. Accordingly, NPCL decided to rebid the same after some time so that it can discover better rates.
- NPCL decided to float a tender for purchase of peak power on Deep Portal in accordance with the Revised Guidelines for Short term (i.e. for a period of more than one day to one year) Procurement of Power by Distribution Licensees through Tariff based bidding process dated 30.03.2016 issued by Ministry of Power, Govt. of India (Short term bidding Guidelines) from April, 2022 to October, 2022 and appointed M/s PFC Consulting Limited as its authorized representative to open the technical and financial bids as per its requirement as below:

Period	Duration (Hrs.)	Quantum at Delivery Point (MW)
01.04.2022 to 30.04.2022	18:00 to 24:00	80
01.05.2022 to 31.05.2022	18:00 to 24:00	45
01.06.2022 to 31.08.2022	18:00 to 24:00	85
01.09.2022 to 30.09.2022	18:00 to 24:00	40
01.10.2022 to 20.10.2022	18:00 to 24:00	25

- NPCL published notice in 'The Indian Express and the Financial Express' on 15.02.2022, inviting Bids from Generators, Captive Power Plants, Licensed Power Traders, State Utilities and Distribution Licensees for procurement of up to 85 MW power on short term basis for meeting its load requirements from 01.04.2022 to 20.10.2022.
- In response to the aforesaid competitive bidding process, NPCL received as many as four (4) bids from two (2) bidders on the last date of bid submission. The names of the two (2) bidders are mentioned herein below:

SR. No.	Name of the Bidder	No. of Bids
1	M/s Tata Power Trading Company Limited (TPTCL)	2
2	M/s Arunachal Pradesh Power Corporation (P) Limited (APPCPL)	2





9. As per the Short-Term Bidding Guidelines of Ministry of Power, the Financial Bids were first opened at Initial Price Offer (IPO) Stage followed by Reverse Auction. Bids at IPO Stage were opened at 11:00 Hrs. on 23.02.2022 by PFC. Thereafter, Reverse Auction was carried out by M/s PFC at 12:00 Hrs. on 23.02.2022 on the L1 Bids of IPO Stage.

SR. No.	Period	Bidder Name (Source)	Quantum at Delivery Point (MW)	Rate at Delivery Point (Rs/kWh)
1	01.04.2022 to 30.04.2022	TPTCL (Prayagraj Power Generation Company Limited Uttar Pradesh (PPGCL))	80	5.49
2	01.05.2022 to 31.05.2022	APPCPL (D.B. Power Limited, Chhattisgarh, DBPL))	25	8.00
3		APPCPL (Sembcorp Energy India Limited, Andhra Pradesh (SEIL))	20	8.00
4	01.06.2022 to 31.08.2022	APPCPL (D.B. Power Limited, Chhattisgarh, DBPL))	25	8.00
5		APPCPL (Sembcorp Energy India Limited, Andhra Pradesh (SEIL))	25	8.00
6	01.09.2022 to 30.09.2022	APPCPL (D.B. Power Limited, Chhattisgarh, DBPL))	25	8.00
7		APPCPL (Sembcorp Energy India Limited, Andhra Pradesh (SEIL))	15	8.00
8	01.10.2022 to 20.10.2022	TPTCL (Prayagraj Power Generation Company Limited Uttar Pradesh (PPGCL))	25	5.50
9	<b>Wt. Average Rate (Rs. /kWh)</b>		-	<b>7.28</b>

Note: 1) The rates quoted by Bidders, except M/s Tata Power Trading (Source: Prayagraj Power Generation Company Limited, U.P.), are at CTU Periphery of Seller i.e. interconnection of seller with CTU. For M/s Tata Power Trading (Source: Prayagraj Power Generation Company Limited, U.P.), the rates are quoted at STU Periphery of Seller i.e. interconnection of seller with UPSTU.

2) For Inter-state transaction, all Open Access charges & losses up to the Delivery Point i.e. intra-state transmission charges & losses, scheduling & operating charges along with application/consent fee of SLDC for the Seller's State shall be borne by the Bidder. All other charges & losses beyond the Delivery Point i.e. CTU/PGCIL transmission charges & losses, scheduling & operating charges of any intervening RLDC, application fee of NRLDC, consent fee of UPSLDC, scheduling & operating charges of UPSLDC along with U.P. State transmission charges & losses shall be borne by the Procurer/NPCL.

3) For Intra-State transaction, all Open Access charges & losses up to the Delivery Point shall be borne by the Bidder. All other charges & losses beyond Delivery Point i.e. consent fee of UPSLDC, scheduling & operating charges of UPSLDC along with U.P. State transmission charges & losses shall be borne by NPCL.



10. NPCL has submitted that the above results were placed before the Standing Committee for the purpose of evaluation and finalization. The Standing Committee was apprised that earlier also NPCL had floated a bid dated 11.12.2021 for the same period quantum and duration as floated for the instant tender considering reduction in exchange rates at the prevailing time. However, after the Reverse Auction on 20.12.2021, it discovered a rate of Rs. 5.93/kWh (excluding inter-state and intra-state transmission charges and losses) which was quite high as compared to prevailing rates and accordingly, it decided to rebid the same.
11. NPCL informed the Standing Committee that during May-September 2022, NPCL received a single bid from M/s APPCPL offering power from 2 supplier. However, considering the uncertainty in the market and to ensure reliable power supply to the consumers of Greater Noida, the Standing Committee recommended the Petitioner to go ahead with the Reverse auction as per the RfP subject to the approval of the Commission.
12. The Standing Committee observed that while the rate of Rs. 5.49/kWh and Rs. 5.50/kWh (excluding inter-state and intra-state transmission charges and losses discovered for April 2022 and October 2022 respectively are reasonable, the same discovered for May – September is quite high largely due to uncertainty in availability of coal and corresponding high prices of Imported coal. The Standing Committee also observed that the exchange rates remained volatile due to high cost of imported coal even in the current financial year.
13. The above discovered rates were also be benchmarked with the rates discovered by other utilities in their recent bids for similar time slot. The same are as below:

Utility Name	Month	Duration (Hrs.)	Rate (Rs. /kWh)	Reverse Auction Date
GUVNL	July 2022 to Aug 2022	17-20	8.50	19.02.2022
TANGEDCO	April 2022 to May 2022	17-23	8.95 – 9.97	16.02.2022

14. NPCL submitted that they further informed the Standing Committee that after considering the power purchase from the proposed contracts, the total cost of power is within the overall projected quantum and cost submitted by the Petitioner to the Commission in its ARR Petition for FY 2022-23 in Petition No. 1797/2021. The same is as below:

Particulars	Quantum at NPCL (MUs)	Rate at NPCL periphery (Rs./kWh)
Conventional Power (Non-Renewable)	954.55	6.05
Non-Solar RE Power including HPO	260.01	6.64
Total Power Purchase submitted in ARR of FY 2022-23	3023.59	5.80