



Petition No. 1965 of 2023
BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

Date of Order: 13.06.2023

PRESENT:

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

IN THE MATTER OF: Petition under Section 63 of the Electricity Act, 2003 read with Clause 11.4 of the revised Guidelines of Ministry of Power dated 30th March, 2016 for procurement of short-term Power (i.e. for a period of more than one day to one year) seeking Approval of Power Purchase Agreements and Adoption of Tariff discovered through Competitive Bidding for Procurement of Hydro Power with HPO from 1st July, 2023 to 31st August, 2023 by Noida Power Company Limited.

Noida Power Company Ltd. (NPCL),
Plot No. ESS, Knowledge Park - IV, Greater Noida – 201310.

..... **Petitioner**

The following were present:

1. Shri Sanket Srivastava, Head (Power Purchase), NPCL

ORDER

(Date of Hearing: 18.05.2023)

1. The Petitioner, NPCL has filed the instant Petition seeking adoption of tariff and approval of PPA dated 01.03.2023 for procurement of short-term hydro power from 01.07.2023 to 31.08.2023.
2. The Petitioner has prayed as follows:
 - a) Adopt the Tariff (at Delivery Point) as mentioned in Table 9 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.
 - b) Approve the Power Purchase Agreement executed on 01.03.2023.
 - c) Approve the transmission charges and losses to be incurred on actuals after delivery point as per the applicable provisions of Bidding Document / Regulations / Orders.
 - d) 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
 - e) Pass any other order(s) as this Commission may deem fit in the facts and circumstances of the case.



Background

3. The Petitioner has mainly submitted the following in the Petition:

a) NPCL has following tie-ups for supply of power:

Long-Term Arrangements-

- i) 170 MW RTC power at ex-generator's bus from M/s DIL - approximately 158 MW RTC will be available at NPCL bus.
- ii) 25 MW Solar Power at ex-generator's bus from M/s Adani Solar Energy Chitrakoot One Limited - approximately 13-14 MW will be available during day hours at NPCL bus.
- iii) 25 MW Solar Power at ex-generator's bus from M/s Tata Power Renewable Energy Limited - approximately 13-14 MW will be available during day hours at NPCL bus.
- iv) 10 MW Wind Power at ex-generator's bus from M/s PTC India Limited - approximately 6-7 MW RTC will be available at NPCL bus.

Medium-Term Arrangements-

- i) 45 MW RTC power from M/s Tata Power Trading Limited from May-Sept. 2023
 - ii) 15 MW RTC power from M/s APPCPL from May-Sept. 2023.
 - iii) 100 MW RTC power at CTU Periphery of Seller from M/s TPTCL during April 2023-March 2026.
- b) Based on demand trend of the consumers, NPCL has projected its power demand till September 2023 and calculated its power requirement based on tied-up power as below:

Month	May	June	July	August	September
Average Demand (MW)	467	486	478	464	469
Tied-up Power (MW)	330	330	330	330	330
Deficit (MW)	137	156	148	134	139

c) Considering the above load requirement, the Petitioner decided to publish a notice in The Indian Express and Financial Express on 31.12.2023, inviting Bids from Generators, Captive Power Plants, Licensed Power Traders, State Utilities and Distribution Licensees for procurement of 50 MW RTC hydro power with HPO benefits with Greenshoe Quantity of 50 MW on Short-Term basis for meeting its load requirements from 1st May to 30th September 2023.

d) The details of period, quantum, and duration of all the tender is as follows:

Period	Duration (Hrs.)	Quantum at Delivery Point (MW)*	Greenshoe Quantity (MW)
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May, 2023	00:00 to 24:00	50	50
June, 2023	00:00 to 24:00	50	50
July, 2023	00:00 to 24:00	50	50
August, 2023	00:00 to 24:00	50	50
September, 2023	00:00 to 24:00	50	50

*Note: 1) For inter-state transmission of power, the Delivery Point for the entire duration of the contract shall be CTU Periphery of Seller i.e., inter-connection of Seller with CTU.

2) For intra-state transmission of power, the Delivery Point for the entire duration of the contract shall be STU Periphery of Seller i.e., inter-connection of Seller with STU.

- e) NPCL in accordance with the short-term bidding Guidelines, on 30.12.2022, had appointed M/s PFC Consulting Limited (PFC) as its Authorized Representative for the purpose of uploading RFP on the DEEP portal. Further, PFC was also authorized by the Petitioner to open the technical and financial bids. The said RFP detailing all terms and conditions for supply of power to the NPCL was prepared in coordination with PFC. The timelines adopted for the bidding process are as follows:

S. No.	Event	Date/Time
1.	Publication of Request for Proposal (RfP)/ Activation of Event	30.12.2022 at 10:00 Hrs.
2.	Last date of submission of RfP Bids including EMD	17.01.2023 at 15:00 Hrs.
3.	Opening of Non-financial Technical Bids	17.01.2023 at 16:00 Hrs.
4.	Opening of Initial Price Offers	19.01.2023 at 12:00 Hrs.
5.	Start of Reverse Auction	19.01.2023 at 13:00 Hrs.

- f) NPCL formed a Bid Monitoring Committee and the Standing Committee consisting of the officials of the Petitioner for bid evaluation. The Petitioner received two (2) bids from two bidders on the last date of bid submission as follows:

S. No.	Name of the Bidder	No. of Bids
1	PTC India Limited (PTC)	1
2	NTPC Vidyut Vyapar Nigam Limited (NVVN)	1

- g) As per the Short-Term Bidding Guidelines, the Financial Bids were first opened at Initial Price Offer (IPO) Stage followed by Reverse Auction. Bids at IPO Stage were opened at 12:00 Hrs. on 19.01.2023 by PFC. Thereafter, Reverse Auction was carried out by M/s PFC Consulting Limited at 13:00 Hrs. on 19.01.2023 for the L1 Bids of IPO Stage. Results obtained after the Reverse Auction is reproduced below:

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