



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2054 of 2023

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

IN THE MATTER OF

Petition filed under Section 63 read with section 86(1)(b) of the Electricity Act, 2003 for approval of procurement of 450 MW of Wind Power in terms of the Power Sale Agreement (PSA) dated 28.06.2022 on long term basis procured through tariff based competitive bidding process held under the Inter-State Transmission System Tranche-XI Scheme.

AND

IN THE MATTER OF

Uttar Pradesh Power Corporation Ltd. (UPPCL),

Shakti Bhawan, 14-Ashok Marg, Lucknow-226001.

..... Petitioner

VERSUS

Solar Energy Corporation of India Ltd. (SECI),

6th Floor, Plate-B, NBCC Office Block Tower-2, East Kidwai Nagar,
New Delhi-110023

..... Respondent

FOLLOWING WERE PRESENT

1. Shri Deepak Raizada, C.E(PPA), UPPCL
2. Shri Divyanshu Bhatt, Advocate, UPPCL
3. Shri Sashwat Singh, Advocate, UPPCL

ORDER

(DATE OF HEARING: 13.02.2024)

1. The Petitioner, UPPCL filed this Petition seeking approval of PSA dated 28.06.2022 signed by UPPCL with SECI for procurement of 450MW Wind Power on long term basis through tariff based competitive bidding process. The prayer of the Petitioner are as follows:

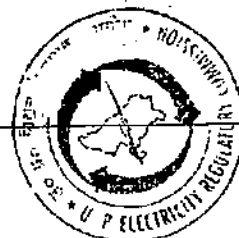




- (a) Approve the procurement of 450MW of Wind Power on long term basis procured by UPPCL from SECI through tariff based competitive bidding process held under the Inter State Transmission System Tranche-XI Scheme.
- (b) Approve the Power Sale Agreement executed on 28.06.2022 executed between Solar Energy Corporation of India Limited and UPPCL.
- (c) Pass any further order(s) as this Commission may deem fit in the facts and circumstances of the case.

The matter came up for hearing today.

2. During the hearing, Divyanshu Bhatt, Counsel of UPPCL submitted that instant Petition was for seeking approval for procurement of 450MW Wind power under the PSA dated 28.06.2022. Further, the Counsel stated that tariff adoption Petition No. 353/AT/2022 filed by SECI was pending before the CERC. Sh. Deepak Raizada on behalf of UPPCL submitted that this wind power would be required to meet the RPO targets.
3. The Commission observed that Resource Adequacy assessment needs to be carried out keeping in view "Guidelines for Resource Adequacy Planning Framework for India" dated 28.06.2023, issued by Ministry of Power, to be able to decide additional capacity required to be tied up on long, medium* & short-term basis and the generation mix required to meet the projected demand at minimum cost. UPPCL, therefore, should endeavour to complete it at the earliest. Sh. Raizada responded that the discussion is under progress with the CEA in this regard.
4. The Commission sought following information/data required to be provided by the Petitioner:
- Justification for the procurement of 450MW **quantum of power through specific source of power (i.e., wind power).**
 - Justification for the delay in filing present Petition when the PSA was already signed on 28.06.2022.





c) Justification for quantification of Change in law relief in deviation to the bidding guidelines as observed by the CERC at para 3(c) in its ROP Order dated 07.02.2023 in Petition No. 353/AT/2022, filed by SECI for tariff adoption.

5. Sh. Bhatt sought four weeks' time to file its response to the Commission's query. Accordingly, the Commission allowed four weeks' time to UPPCL to file the details stipulated at para 4 above of this Order.

List the matter for hearing on 19.03.2024.

(Vinod Kumar Srivastava)

Member (Law)

(Arvind Kumar)

Chairman

Place: Lucknow

Dated: 20.02.2024



