



BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

Date of Order: 11.05.2020

IN THE MATTER OF: Suo-motu order on Provisional Tariff for MYT 2019-24

ORDER

1. In exercise of powers conferred under Section 181 read with Section 61 of the Electricity Act, 2003 and all others powers enabling in this behalf and Regulation 6 of UPERC (Terms and Conditions of Generation Tariff) Regulation, 2014 dated 16.12.2014, notified vide Notification No. UPERC/Secy/Generation Regulations, 2014/1620:

"(1) The Commission shall carry out truing up exercise along with the tariff petition filed for the next tariff period, with respect to the capital expenditure including additional capital expenditure incurred up to 31.3.2019, as admitted by the Commission after prudence check at the time of truing up.

(2) The generating company shall make an application, as per Appendix II to these regulations, for carrying out truing up exercise in respect of the generating station or any of its units or block of units thereof by 31.10.2019."

2. UPERC, vide its Suo-moto order dated 30.05.2019, decided to extend the applicability of UPERC (terms and conditions of Generation tariff) Regulations, 2014 with effect from 01.04.2019 and ordered that tariff during FY 2019-20 shall remain as determined by the Commission under UPERC (terms and conditions of Generation tariff) Regulations, 2014 on provisional basis subject to the adjustment with interest.
3. The Uttar Pradesh Electricity Regulatory Commission (Terms and Conditions of Generation tariff) Regulations, 2019 were subsequently

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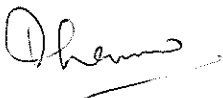
notified on 11.09.2019 vide Notification No. UPERC/Secy/Generation Regulations, 2019/343A for the Control Period 2019-24.

4. Whereas Generating companies' tariff has been determined by this Commission for the control period 2014-19 based on final / provisional capital cost, have filed / are filing True-up Petition for 2014-19 & MYT Petition for control period 2019-24 / interim application for extending the provisional tariff , there has been unavoidable situation due to outbreak of Covid'19 and consequently declaration of country wide lockdown leading to restriction of Inter and Intra State movement.
5. The declaration of lockdown by the Central Government for 21 days with effect from 24th March, 2020 and extension till 3rd May'20 / 17th May'20 to stop the spread of this pandemic, has led to offices being closed and hence the process of information compilation, filing of tariff petition has been delayed. Several Generating Companies viz; RPSC and LPGCL have requested for extending the applicability of Suo-moto order dated 30.05.2019 till the MYT for the period 2019-24 is decided by this Commission. M/s Alaknanda Hydro has also filed an interim application for extending its provisional tariff for the FY 2020-21.
6. The Commission has taken note of the fact that the country is facing grave public health crisis on account of COVID-19 and as a measure to contain the spread of this pandemic, the Government of India has taken unprecedented measures to lockdown the country with effect from 25.3.2020 which is continuing till 17.05.2019 as on date of this order. Also, the process of true-up / tariff determination for MYT 2019-24 would involve following due regulatory process viz; rectification of discrepancies by the Petitioner, responding to queries of stakeholders and holding Public hearing before the admittance of these Petition by Commission. All these activities get slow paced under lockdown condition and holding Public hearing is extremely difficult till free movement of personnel across country gets restored.



7. While this being so, due to lockdown caused by outbreak of ongoing Covid -19 pandemic, the Commission is not able to take up matters for hearing. But, as these Projects are continuously generating electricity and that the same is being sold to the UPPCL, an order to continue Status-quo is necessitated for the said electricity being sold to UPPCL. Therefore, it is ordered that Provisional Tariff for next six months from the date of this order i.e. during the period 1st April'20 to 31st Oct'20 shall remain as determined by the Commission through various orders respective to these existing Projects under the UPERC (Terms and Conditions of Generation Tariff) Regulation, 2014 subject to adjustment with applicable interest, if any.


V. K. Srivastava
Member


Kaushal Kishore Sharma
Member


Raj Pratap Singh
Chairman

Place: Lucknow

Dated: 11.05.2020

