



Petition No. 1592 of 2020

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

PRESENT:

1. Hon'ble Sri Raj Pratap Singh, Chairman
2. Hon'ble Sri Kaushal Kishore Sharma, Member
3. Hon'ble Sri Vinod Kumar Srivastava, Member (Law)

IN THE MATTER OF: Seeking approval of the draft Power Purchase Agreement (PPA) dated 11-02-2020.

M/s Bijender Energy and Research Meerut,
R/O, Khasra No. 463, Village Bhoorbaral,
Delhi Road, Meerut, U.P-250103

M/s Pashchimanchal Vidyut Vitaran Nigam Ltd.,
R/O, Head Quarter, PVVNL, Urja Bhawan,
Victoria Park, Meerut U.P. - 250001

----- Petitioner

Following were present:

1. Sh. Aravind Bangari, MD, PVVNL
2. Sh. I. P. Singh, Director (Commercial), PVVNL
3. Sh. Gaurav Sehgal
4. Sh. Naveen, Bijendra Heay Electrical
5. Sh. Amarjeet Singh Rakhra, Advocate, PVVNL

ORDER

(Date of Hearing 04.09.2020)

1. The Petitioner no. 1 M/s Bijender Energy and Research Meerut submitted that it intends to own and operate Refuse derived fuel based Waste to Energy (WTE) plant having a generating capacity of 1.045 MW. The plant will generate electricity for its own captive consumption to the extent of 0.045 MW and 1 MW for supplying electricity so generated to Petitioner No. 2 i.e. Pashchimanchal Vidyut Vitran Nigam Ltd. Therefore the Petition is filed before the Commission for approval of draft Power Purchase Agreement signed by both the parties.



2. The Petitioner No. 1 further submitted that the connectivity for evacuation system to the project may be granted by the Petitioner No.2 to existing 33 kV line of PVVNL in vicinity.
3. The Counsel of the Petitioner No. 2 submitted that the PPA executed between the parties is as per the Model Power Purchase Agreement where the cost of the dedicated transmission line from the Generating Plant to the designated grid substation of the transmission licensee and the cost of interfacing at both ends (Generating Plant and Grid Substation) including work at transmission licensee sub-station, cost of bay, tie line, terminal equipment and associated synchronizing equipment, is to be borne by the Generating Plant.
4. The Counsel of the Petitioner No.2 submitted that the existing 33KV line near the project is in operation for independent consumer(s) and therefore, it may be not be technically feasible to provide the connectivity for evacuation of power to the WTE plant at the existing nearby 33 KV line as there may be the issues related to the power quality to the consumer connected with it.
5. The Commission pointed out that Regulation 27(3) of CRE Regulation clearly provides that the cost of laying the dedicated transmission line to the sub-station, the required bay's associated terminal equipment and synchronization equipment shall be borne by the Generating Plant except MSW plant and such works shall be undertaken under approval and supervision of the Licensee / STU or any Transmission Licensee of the area in which the plant is located. Therefore, the said provision of the Regulations exempts the MSW Plant from the responsibility of laying the dedicated transmission evacuation system. It may be noted that the RDF is included in the definition of MSW plant in the MNRE notification dated 28.02.2020.
6. On the observation of the Commission, the Counsel of the Petitioner No. 2 submitted that the Commission may examine the merit of the said clause of



the PPA (being clause no. 8.2) in view of the apparent inconsistency of the CRE Regulation 2019, where clause 27, exempts MSW plants from the responsibility to construct the evacuation system for connecting the plant with the substation of the Distribution Licensee. However, the Petitioner has signed the PPA in terms of the model PPA approved by the Commission.

7. The Commission after hearing both the parties at length approved the PPA dated 11.02.2020 entered between the parties as the same is in line with the modal PPA approved by the Commission and directed Petitioner no. 1 to examine the technical feasibility to evacuate the power from the plant to the nearest 33 kV line. The Commission further directed both the parties to amicably resolve the issue of power evacuation subject to the exemption available to the petitioner no. 2 as per the Regulation 27(3) of the CRE Regulations, 2019.

Accordingly, the Petition stands disposed off

(Vinod Kumar Srivastava)
Member (Law)

(Kaushal Kishore Sharma)
Member

(Raj Pratap Singh)
Chairman

Place: Lucknow

Date: 08 09.2020