



**Petition No. 1537 of 2019**

**BEFORE**

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION**

**LUCKNOW**

**Date of Order. 02.11.2020**

**PRESENT:**

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

**IN THE MATTER OF:** To seek approval of amended PPA dated 05.10.2019 with M/s Ecogreen Energy Lucknow Pvt. Ltd.

UP Power Corporation Ltd.,  
(through its Chief Engineer, PPA-R),  
14<sup>th</sup> Floor, Shakti Bhawan Extn.,  
14-Ashok Marg, Lucknow-226001

----- **Petitioner**

M/s Ecogreen Energy Lucknow Pvt. Ltd.,  
Through its authorized representative,  
Registered Office: 219, second floor,  
Vipul Trade Centre, Sector-48  
Sohna Road, Gurugram-122018

-----**Respondents**

Following were present:

1. Sh. Deepak Raizada, UPPCL
2. Sh. Satya Prakash, Representative of M/s Ecogreen Energy

**ORDER**

**(Date of Hearing 08.10.2020)**

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*[Signature]*

*[Signature]*





1. The present petition is filed by UPPCL for the approval of amended PPA between M/s Ecogreen Energy Lucknow Pvt. Ltd. and UPPCL. The original PPA was entered between the parties on 27.09.2017 for supply of 13.5 MW from MSW based Plant of 15 MW installed capacity and was approved by the Commission on 26.12.2017 in Petition no. 1241/2017.

2. Sh. Deepak Raizada, on behalf of UPPCL submitted that the Commission vide order dated 24.07.2020 has directed as follows:

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*2.The Respondent submitted that recently vide letter dated 20-07-2020, it has sought some time for submission of project schedule and COD for signing of supplementary PPA as the same is submitted to the head office in China for confirmation and the same may take some time due to current prevailing situation in China. The respondent further requested the Commission to grant some time for submission of pending documents and the matter may be listed after two months.*

*4.The Commission heard the parties and decided to list the matter after two months as per the request made by the parties. Meanwhile the parties shall submit the pending amended PPA as directed by the Commission vide Order dated 29.05.2020 before the next date of hearing.*

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Subsequent to the above Order of the Commission, UPPCL has followed up through four letters to the M/s Ecogreen Energy Lucknow Pvt. Ltd. However, no communication has been received so far from them in the matter.

3. Sh. Deepak Raizada, on behalf of UPPCL further informed the Commission that the delay is not on the part of UPPCL. He further submitted that the Commission vide order dated 29-05-2020 observed that since the term of amended PPA are yet not crystallized and therefore, directed both the parties to come up with the firm agreement for the consideration of the Commission. However, M/s Ecogreen Energy Lucknow Pvt. Ltd now is seeking extension of COD on grounds of force majeure which is to be proceeded as per the provisions of the PPA.
4. Sh. Satya Prakash on behalf of M/s Ecogreen Energy Lucknow Pvt. Ltd submitted that their concerned team is based out of China and the team could not come back to India due to prevailing situation occurred after outbreak of COVID-19 pandemic. So, he requested for two months of time for filling the required documents.
5. The Commission observed that UPPCL, on request of Respondent has agreed to give extension of COD up to December 2020 subject to approval of Commission and an amended PPA was signed in this respect on 05.10.2019. During the hearing, the representative of Respondent has stated that it has forwarded the Project schedule to their head office in China for their suggestions and confirmation. However, due to prevailing situation in China after the outbreak of COVID-19 pandemic, Respondent's Head office is yet to confirm the Project schedule and may take more time.





6. Therefore, in view of above, the Commission, directs to keep the matter in abeyance till Project Schedule and expected COD of the Project is confirmed by Respondent to the Petitioner. The Commission shall take up the matter after Petitioner approaches this Commission with firm Project Schedule & extension of COD / approval of PPA.

**(Vinod Kumar Srivastava)**  
**Member (Law)**

**(Kaushal Kishore Sharma)**  
**Member**

**(Raj Pratap Singh)**  
**Chairman**

**Place:** Lucknow

**Date:** 02 11.2020