



Petition No. 1555 of 2020

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

(Date of Order: 17.06.2021)

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: Under Section 86 (1) (f) read with Section 86 (1) (b) read with Section 86 (1) (e) of the Electricity Act, 2003, against the termination by NTPC of 300 MW, Wind Power Sale Agreement dated 14 March, 2019, entered into at Lucknow between NTPC Ltd. and U.P. Power Corporation Ltd.

Uttar Pradesh Power Corporation Limited, (through its Chief Engineer, PPA)
Shakti Bhawan, 14- Ashok, Marg, Lucknow

----- **Petitioner**

1. National Thermal Power Corporation, (NTPC),
Through the General Manager, (Commercial), NTPC Bhawan,
Scope Complex, 7, Institutional Area, Lodhi Road, New Delhi-110003
2. Mytrah Vayu (Brahmani) Private Limited,
Through Chief Operating officer,
8001, Q-City, S No.109, Nanakramguda,
Gachibowli, Hyderabad, Telangana-500032

----- **Respondent**

Following were present:

1. Sh. Deepak Raizada, CE, PPA-Renewable, UPPCL
2. Sh. Suresh Mukherjee, Advocate, UPPCL
3. Sh. Abhishek Kumar, Advocate, UPPCL
4. Sh. Nitesh Gupta, Mytrah Vayu Brahmani Ltd.
5. Ms. Kritika Angirish, Srijan Energy Systems Pvt. Ltd.
6. Ms. Jyotsna Khatri
7. Sh. Ashutosh Kumar, NTPC
8. Sh. Ishpaul Uppal



ORDER

(Date of Hearing 08.06.2021)

1. The Commission vide its Order dated 13.05.2021 had upheld the maintainability of the Petition and decided to adjudicate the matter on merit. The Commission had directed NTPC to file its reply on merit of the case within 2 weeks and UPPCL to file its rejoinder within one week thereafter. The issue of impleadment of Wind Power Developers was to be decided by the Commission upon hearing the matter on next date.

The matter come up for hearing today.

2. Sh. Suresh Mukharjee, Counsel of UPPCL informed the Commission that the Hon'ble APTEL, in an appeal filed by NTPC, has stayed the proceedings in the matter vide order dated 07.06.2021. Therefore, he requested the Commission to list the matter after decision of Hon'ble APTEL.
3. Sh. Nitesh Gupta, Representative of Mytrah Vayu Brahamani Ltd. requested the Commission to take their application (filed in soft copy) on record. The Commission directed to file the application in hard copy so as to take on record of the Commission.
4. The Commission, in view of Hon'ble APTEL stay order directed to list the matter after decision of the Hon'ble APTEL in the matter.

(Vinod Kumar Srivastava)
Member

(Kaushal Kishore Sharma)
Member

(Raj Pratap Singh)
Chairman

Place: Lucknow

Date: 17.06.2021