



power to the system of MVVNL as per the terms of PPA dated 23.12.2020 till final disposal of the Petition No.1695 of 2021 and approval of PPA by the Commission.

7. Regulation 5 of CRE Regulations, 2019 mandates approval of PPA entered between the DISCOM and the generating plant by the Commission. However, under the present circumstances the approval of PPA as per the requirement of Regulation 5 of UPERC (CRE) Regulations, 2019 is taking its usual time. The Regulation 7 of UPERC (CRE) Regulations, 2019 has however empowered the Commission to relax the provisions on its motion for the convenience of the generator on an application made before the Commission.
8. The Petitioner has approached this Commission by way of this Petition seeking suitable remedy/relief so that it could commence supply of 3.5 MW electricity to the MVVNL from its Slop based generating plant and bill for the exported power will be raised at the levelized tariff of Rs. 2.798 per unit only after this Commission has passed necessary order for approval of PPA in Petition No. 1659 of 2021 and accordingly avoid any unnecessary harassment and financial loss.

Records of Proceedings:

9. The Commission heard the matter on 15.06.2021. During the hearing, the Petitioner reiterated the points as submitted in the petition. Further, Petitioner has submitted that as their Plant is ready to inject power and this being off-season, only slop-based power shall be injected up to 31st October 2021 in 132 kV Gularia-Lakhimpur Trans. Line and no bagasse-based power shall be mixed with slop power while supplying to the Discom and accordingly billing will be issued @Rs. 2.798 per unit till 31.10.2021.
10. The Commission asked the UPPCL for any objection to the Petitioner's submissions, the UPPCL responded that it has no objection for interim relief to the Petitioner.

Commission View:

11. We have considered the submission of the Petitioner and the documents placed on record. It is observed that already the petition no. 1695/2021 has been filed to the Commission with regard to the approval of the PPA of different generators for the procurement of 20 MW ($\pm 25\%$) power from Slop based generating plant for a period of 10 years. Further, the Petitioner is one of the successful bidders for the supply of 3.5 MW to the Discom at a levelized tariff of Rs. 2.798 per unit.



12. The Commission vide order dated 15.07.2021 in Petition no. 1695/2021 has approved the PPAs for the procurement of 20 MW ($\pm 25\%$) power from Slop based generating plants. The relevant extracts of the said order is as below:

"17. The Commission has gone through the documents available on record and finds that the bids were invited on <https://etender.up.nic.in/> and parties have confirmed that provisions of RfP bidding document as approved by the Commission were followed in conducting the bid process and selection of the bidders. Therefore, after hearing the parties and considering the submission made during the hearing and documents placed on record, the Commission adopts the levelized tariff of Rs. 2.798 per kWh for a period of 10 years, and approves the PPAs listed at para 12 above, under section 63 of the Electricity Act, 2003."

13. In view of the above, since the Petitioner's PPA dated 23.12.2020 is also approved, there is no requirement of interim relief for the same.

14. Further, the Petitioner has also filed another Petition No. 1677/2021 on the issue of separate billing of Bagasse based power and Bagasse + SLOP based power exported through one common transmission line to the DISCOM. The Petition No. 1677/2021 is listed for hearing on 03.08.2021.

15. The Petitioner, during the hearing on 15.06.2021 in the instant matter has submitted that this being off-season, only slop-based power shall be injected up to 31st October 2021 in 132 kV Gularia-Lakhimpur Trans. Line and no bagasse-based power shall be mixed with slop power while supplying to the Discom and accordingly billing will be issued @Rs. 2.798 per unit till 31.10.2021. Therefore, the Commission allows injection of only slop-based power till 31.10.2021 and bills for the same shall be raised @Rs. 2.798 per unit, the rate agreed in the PPA dated 23.12.2020, based on competitive bidding.

The Petition is accordingly disposed of in terms of the above.

(Vinod Kumar Srivastava)
Member (Law)

(Kaushal Kishore Sharma)
Member

(Raj Pratap Singh)
Chairman

Place: Lucknow

Date: 29. 07.2021