Petition No. 1696 of 2021

BEFORE

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Quorum

Hon'ble Shri Raj Pratap Singh, Chairman
Hon'ble Shri Kaushal Kishore Sharma, Member
Hon'ble Shri V. K. Srivasatava, Member (Law)

In the matter of:

Petition under Section 142 of the Electricity Act, 2003 for contravention of direction contained in Uttar Pradesh Electricity Regulatory Commission Order for Truing up of Tariff for FY 2018-19, Annual Performance Review (APR) for FY 2019-20 and approval of Aggregate Revenue Requirement and Tariff for FY 2020-21 (TO FY 2020-21 Dt. 11.11.2020).

Shree Cement Ltd.
12, Sikandrabad Industrial Area,
Bulandshahar, Uttar Pradesh. ..... Petitioner

Vs.

Paschimanchal Vidyut Vitran Nigam Limited
Urja Bhawan, Victoria Park
Meerut, Uttar Pradesh. .....Respondent

The following were present:

1. Shri Arvind Malappa Bangari, Managing Director, Paschimanchal Vidyut Vitran Nigam Ltd.
2. Shri Amarjeet Singh, Shree Cement Ltd.
3. Shri Swapnil Mishra, Shree Cement Ltd.
4. Shri Vashishth Mishra, Counsel of UPPCL

ORDER

(Date of Hearing: 2nd September, 2021)

1 M/s Shree Cement Limited (hereinafter referred as Petitioner) is a company engaged in the business of cement manufacturing and generation of power. The Petitioner submitted that it is a cement grinding unit in the state of Uttar Pradesh. The Petitioner is a consumer of M/s Paschimanchal Vidyut Vitran Nigam Limited (PVVNL) with a contract demand of 14.4 MVA and is availing power under Open Access facility of upto 12.24 MW through Power Exchange or from other Open Access Sources. It is the contention of the Petitioner that the Respondent, PVVNL has levied the average distribution losses retrospectively in the Open Access bills.

2 In the Order dated 09.08.2021 the Commission had observed that although the licensee has given explanation that different losses have been considered for different periods, the licensee needs to justify and explain the Commission on what basis the losses have been determined and applied retrospectively which were not even approved by the Commission. The Commission provided an opportunity to the respondent to clarify within three weeks and to provide details of the provisions/ order of the commission under which the losses have been retrospectively levied on the Petitioner for the disputed period.

3 Shri Vashishth Mishra appeared on behalf of Shri Amarjeet Singh Rakhra and sought adjournment due to compelling personal reasons. The Petitioner raised no concern in this regard. As per the directions of the Commission in the Order dated 09.08.2021 the submission was to be made by the Respondent. MD, PVVNL sought some time for making submission.

4 The Commission accepts the request for adjournment. However, considering that the submission to be made as per last Order of the Commission is still pending, the Commission directs MD, PVVNL to make submission in the matter within a week and provide a copy of the submission to the Petitioner as well.

5 The next date of hearing is scheduled to be held on 29th October, 2021.

(V.K. Srivastava)	(Kaushal Kishore Sharma)	(Raj Pratap Singh)
Member	Member	Chairman

Place: Lucknow
Dated: 06 .09.2021

U P ELECTRICITY REGULATORY COMMISSION