



Petition No. 1709 of 2021
BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

Date of Order (08.12.2021)

PRESENT:

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

IN THE MATTER OF: Petition under Section 86 (1) (b), (e) & (f) of the Electricity Act 2003 read with Regulation 57 of the UPERC (Conduct of Business) Regulations, 2019 for extension in the Schedule Commercial Operation Date ("SCOD") of the Bunda and Prayagraj (previously Nawabganj) Solar Power Plants of the Petitioner for supply of 75 MW of Solar Photovoltaic Power to the Uttar Pradesh Power Corporation Ltd. under the Power Purchase Agreements dated 12.02.2019.

1. Tata Power Renewable Energy Limited (TPREL)
Corporate Centre, 34 Sant Tukaram Road,
Carnac Bunder, Mumbai- 400009.

----- Petitioner

Versus

1. Uttar Pradesh Power Corporation Limited. (UPPCL)
7th Floor Shakti Bhawan, Ashok Marg, Lucknow-226001
2. Uttar Pradesh New and Renewable Energy Development Agency,
(UPNEDA), Vibhuti Khand, Gomti Nagar, Lucknow, 226010

--- Respondents

Following were present:

1. Sh. Venkatesh, Counsel, TPREL
2. Sh. Deepak Raizada, C.E (PPA), UPPCL
3. Sh. Narendra Singh, UPNEDA
4. Sh. Hemant Sahai, Counsel, UPPCL
5. Ms. Puja Priyadarshini, Advocate, UPPCL
6. Sh. Utkarsh Saxena
7. Sh. Amitav Singh
8. Sh. Vaishnavi Aiyer



ORDER
(Date of Hearing 23.11.2021)

1. Pursuant to the last hearing, the Commission vide order dated 27.09.2021 directed the Petitioner to furnish the delay analysis supported by PERT chart of the project. In compliance to the Commission's direction, the Petitioner has filed the details on 20.10.2021. UPPCL and UPNEDA have filed their replies on 22.11.2021 and 18.11.2021 respectively.

The matter came up for hearing on today.

2. Sh. Venkatesh, counsel of the Petitioner stated that they received the reply of the Respondent, UPPCL yesterday and therefore, sought 4-week time to file their rejoinder.
3. The Commission enquired about the status of the Petitioner's project, Sh. Venkatesh responded that by the time they would file their rejoinder, the project would be commissioned and requested the Commission to allow amendment of the prayer in the instant petition. Sh. Venkatesh, also requested the Commission to allow injection of power from the project after commissioning.
4. The Commission observed that the Petitioner has filed another petition No. 1711/2021 with NPCL as the Respondent in Bunda project, and the Respondents viz; UPPCL and NPCL could have divergent views on Bunda project. Sh. Venkatesh submitted that the Respondents can have different views, but their legal arguments would be same. Sh. Hemant Sahai, Counsel of the UPPCL has no objection to the submission of the Petitioner, however, Sh. Sahai submitted that commercial implications on account of injections from Petitioner's project(s) would be subject to the outcome of the present proceedings.
5. After hearing the parties, the Commission allowed the request of the Petitioner to file the requisite application and rejoinder(s) to the Respondents replies. The Commission also allows injection of power from Petitioner's project in the interim, subject to outcome of the present proceedings.

List the matter on 08.02.2022.

(Vinod Kumar Srivastava)

Member

(Kaushal Kishore Sharma)

Member

(Raj Pratap Singh)

Chairman

Place: Lucknow

Date: 08. 12.2021