



सत्यमेव जयते

**ORDER
OF THE
WEST BENGAL ELECTRICITY REGULATORY COMMISSION
IN CASE NO. PPA- 84 /16-17**

IN REGARD TO THE APPLICATION SUBMITTED BY WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED (WBSEDCL) FOR APPROVAL OF FIRST SUPPLEMENTARY AGREEMENT DATED 09.12.2016 AND SUBSEQUENT SECOND SUPPLEMENTARY AGREEMENT DATED 28.06.2021 EXECUTED BY AND BETWEEN RASHMI CEMENT LIMITED (RCL) AND WBSEDCL FOR PURCHASE OF SURPLUS POWER FROM 18 MW WASTE GAS-BASED POWER PLANT OF RCL IN TERMS OF REGULATION 7.4.1 OF THE WEST BENGAL ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS OF TARIFF) REGULATIONS, 2011, AS AMENDED.

PRESENT:

SRI SUTIRTHA BHATTACHARYA, CHAIRPERSON

SRI PULAK KUMAR TEWARI, MEMBER

DATE: 05.07.2022



Approval of First Supplementary Agreement dated 09.12.2016 and subsequent Second Supplementary Agreement dated 28.06.2021 executed by and between Rashmi Cement Limited (RCL) and WBSEDCL for purchase of surplus power from 18 MW waste gas-based power plant of RCL in terms of regulation 7.4.1 of the Tariff Regulations.



Facts in brief:

- 1.0 The West Bengal State Electricity Distribution Company Limited (WBSEDCL) submitted an application vide letter dated 06.08.2021 for approval of Supplementary Agreements to the Power Purchase Agreement dated 11.12.2010 executed by and between Rashmi Cement Limited (RCL) and WBSEDCL for purchase of surplus power from 18 MW waste gas-based power plant of RCL in terms of regulation 7.4.1 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2011, as amended. The Commission admitted the application in Case No. PPA – 84/16-17.
- 2.0 The application of WBSEDCL inter-alia state the followings:
 - 2.1 WBSEDCL had entered into a Power Purchase Agreement with M/s Rashmi Cement Limited on 11.12.2010 for purchase of surplus power from 18 MW waste heat power plant of RCL for an initial period of 5 years at a mutually agreed tariff which was approved by the Commission vide order dated 10.01.2011 in Case No. WBERC/OA-108/10-11.
 - 2.2 On expiry of the principal agreement, WBSEDCL and RCL entered into First Supplementary Agreement dated 09.12.2016 to extend the contract period upto 09.01.2021 and subsequently both parties agreed to extend the contract period upto 09.01.2026 through Second Supplementary Agreement dated 28.06.2021 with a capped price of Rs. 2.04 per kWh.
 - 2.3 In view of the above, WBSEDCL prayed for approval of both First Supplementary Agreement dated 09.12.2016 and Second Supplementary Agreement dated 28.06.2021 in terms of regulation 7.4.1 of the Tariff Regulations.
- 3.0 The Commission had directed WBSEDCL to publish the gist of their application as approved by the Commission in terms of paragraph 8.12 of Tariff Order dated 04.07.2018 of WBSEDCL. WBSEDCL, accordingly had published the gist of the application in (i) the "Aajkal", (ii) the "The Telegraph", and (iii) the "Sanmarg" on 29.04.2022 and also in the "Bartaman" on 30.04.2022 inviting suggestions and objections on their application to be submitted within 21 (twenty-one) days of publication of the gist. No suggestion and objection were received by the Commission within the stipulated time-period.