



**Petition No. 1380 of 2018**  
**BEFORE**  
**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION**  
**LUCKNOW**

(Date of Order: 20.12.2022)

**PRESENT:**

Hon'ble Shri Raj Pratap Singh, Chairman  
Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

**IN THE MATTER OF:** Petition under Section 86(1)(b) and 86(1)(f) of the Indian Electricity Act, 2003 seeking extension of time for setting up of 5 MW Solar PV Power Project under the power purchase agreement dated 02.12.2015 as amended on 19.05.2018 entered into between M/s Pinnacle Renewable Energy Private Limited and U.P. Power Corporation Limited.

**Pinnacle Renewable Energy Private Limited (PREPL)**

2<sup>nd</sup> Floor, T - 15, Green Park, New Delhi - 110016

.....Petitioner

Versus

**1. Uttar Pradesh Power Corporation Limited (UPPCL)**

7th Floor, Shakti Bhawan Extn., 14<sup>th</sup> Ashok Marg, Lucknow - 226001

**2. Uttar Pradesh New and Renewable Energy Development Agency (UPNEDA)**

Vibhuti Khand, Gomti Nagar, Lucknow, Uttar Pradesh - 226010

**3. Uttar Pradesh Power Transmission Corporation Limited (UPPTCL)**

Shakti Bhawan, 14<sup>th</sup> Ashok Marg, Lucknow - 226001

.....Respondent(s)

The following were present:

1. Shri. Mahendra Singh, SE, UPPCL
2. Shri. Shreeyash Shukla, UPPCL
3. Md. Altaf Mansoor, Advocate, UPPCL
4. Shri. Tanay Chaudhary, Advocate, UPPCL
5. Shri. Raghvendra Singh Sr. Advocate, UPPCL

**ORDER**

(Date of Hearing - **08.12.2022**)

1. The Commission vide Order dated 25.10.2022 directed UPPCL to compute penalty payable by PREPL till 29.10.2022 in terms of the Order dated 17.05.2022 and deposit the outstanding due to the Petitioner with the Commission by 30.10.2022.



The Commission also decided that in case the Penalty amount being more than the outstanding, UPPCL shall deposit with the Commission, the payment due against the monthly bill of Petitioner, till total leviable penalty in non-compliance to order dated 17.05.2022 is fulfilled. UPPCL shall communicate to the Petitioner while depositing any penalty amount against outstanding / monthly bill of the petitioner. Further, the Commission allowed Petitioner to submit additional affidavit, if any, with a copy to UPPCL within two weeks' time to respond. There has no submission placed on record by the Petitioner.

The matter came up for hearing today.

2. During the proceedings, Counsel of PRPEL sought for adjournment of today's hearing due to unavoidable circumstances and requested for next date of hearing.
3. Sh. Deepak Raizada, representative of UPPCL submitted that an amount of Rs. 25.5 lakhs and Rs. 22.5 lakhs has been deposited with the Commission against monthly bills of September'22 and October'22 respectively.
4. The Petitioner was informed that penalty of Rs. 6000/- per day is to continue till compliance to order dated 17.05.2022 in Petition No. 1613/2020, in the matter of non-compliance of the Commission's Order dated 05.03.2019 in the instant Petition is fulfilled.
5. After hearing the parties, the Commission adjourned the hearing and directed UPPCL to deposit the penalty amount with the Commission, against monthly bills of the Petitioner.

List the matter for the next hearing on 19.01.2023.

**(Vinod Kumar Srivastava)**  
Member (Law)

**(Raj Pratap Singh)**  
Chairman

Place: Lucknow

Dated: 20.12.2022