



Petition No. 1498 of 2019

**BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

(Date of Order: 30.12.2022)

PRESENT:

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

IN THE MATTER OF: Multi Year Tariff Petition for approval of annual revenue requirement and determination of tariff for FY 2014-15 to FY 2018-19 in respect of Hydro Power Stations namely Rihand and Matatila Hydro Power stations.

Uttar Jal Vidyut Nigam Limited (UPJVNL)
Shakti Bhawan, 14 – Ashok Marg, Lucknow – 226001

.....Petitioner

Versus

- 1. Uttar Pradesh Power Corporation Limited (UPPCL)**
7th Floor, Shakti Bhawan Extnn, 14 Ashok Marg, Lucknow – 226001
 - 2. Paschimanchal Vidyut Vitran Nigam Limited (PVVNL)**
Urja Bhawan, Victoria Park, Meerut - 250001
 - 3. Madhyanchal Vidyut Vitran Nigam Limited (MVVNL)**
4A, Gokhale Marg, Lucknow
 - 4. Purvanchal Vidyut Vitran Nigam Limited (PuVVNL)**
132 kV Sub-station, Bhikaripur, Vidyut Nagar, Varanasi – 221004
 - 5. Dakshinanchal Vidyut Vitran Nigam Limited (DVVNL)**
Urja Bhawan NH-2, Agra – Delhi Bypass Road, Sikandara Road, Agra
 - 6. Madhya Pradesh Power Management Company Limited (MPPMCL)**
Shakti Bhawan, Vidyut Nagar, Jabalpur (MP) – 482008
-Respondent(s)

The following were present:

1. Shri Avdhesh Kumar Verma, U.P. Rajya Vidyut Upbhokta Parishad
2. Shri Rama Shankar Awasthi, Consumer Representative



3. Shri Mahendra Singh, S.E., UPPCL
4. Shri Divyanshu Bhatt, Advocate, UPPCL
5. Shri Aditya Singh, Advocate, MPPMCL
6. Shri Mahesh Gautam, S.E (Commercial), UPJVNL
7. Shri Lalit Varshney, UPJVNL
8. Shri Maurya, UPJVNL

ORDER
(Date of Public Hearing: 19.12.2022)

1. The commission vide Admittance Order dated 02.11.2022 directed UPJVNL to publish a public notice outlining the details of the Petition and decided to hold public hearing on 9.12.2022, which was subsequently rescheduled to 19.12.2022. UPJVNL, in compliance to the Commission's direction, published public notice on 06.11.2022 & 08.12.2022.

The matter came up for public hearing today.

2. Sh. Avdhesh Kumar Verma submitted that the tariff for the recovery of fixed and variable cost by UPJVNL. should be same for MPPMCL as UPPCL
3. Sh. Rama Shankar Awasthi submitted that they have already approached Hon'ble Supreme Court regarding jurisdiction of the appropriate Commission in case of multi state projects and is pending. Further, instant MYT Petition for the Tariff of FY 2014-19 is already delayed by three years and therefore the Commission may prudently allow Carrying cost.
4. The Commission enquired Sh. Rama Shankar Awasthi, whether they have approached the Hon'ble Supreme Court against the Commission's order in this matter. Sh. Awasthi responded that they have approached against the Commission's order in Dhariwal Infrastructure Ltd. case and not in this matter.
5. Sh. Divyanshu Bhatt, Counsel of UPPCL submitted that MYT for FY 2014-2019 should be carried out after the Truing-up of FY 2009-2014. Further, SBI's interest rate for the period of FY 2014-2019 has decreased from 10% to 8.7%, 130 basis points, however, UPJVNL has claimed Interest on Loan (IOL) @upward of 12.25% and no documentary support has been submitted by UPJVNL for the same. The Commission may direct UPJVNL to submit the documentary evidence of IOL.



6. Sh. Aditya Singh, Counsel of MPPMCL submitted that they have already filed their written submission in the matter. Further, on specific query of the Commission Sh. Singh replied that they haven't filed any Petition/Appeal regarding the jurisdiction of instant Petition.
7. Shri Mahesh Gautam on behalf of UPJVNL submitted that they had filed the Truing-up for FY 2009-14 along with the MYT for 2014-19, however, on scrutiny, this Commission directed to come before the Commission after the finalisation of GFA between UPJVNL and UJVNL. Further, final settlement of GFA is pending due to Central Government decision on the major loan of Rs. 352 Crore from LIC among others. Further, in rebuttal to Sh. Bhatt, Sh. Gautam submitted that they have claimed rate of interest for MYT of FY 2014-19 on normative basis.
8. After hearing the comments/suggestion of the stakeholders, the Commission directed the stakeholders to file their written comments/suggestions with in ten days, if any.

Order Reserved.

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

**(Raj Pratap Singh)
Chairman**

Place: Lucknow

Dated: ~~30~~.12.2022

