



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2024 of 2023

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section 86(1)(c) of the Electricity Act, 2003 read with Regulations 14 and 15 of the UPERC (Conduct of Business) Regulations, 2019 and Article 19.17 of the Transmission Service Agreement dated 20.01.2012 for approval of Second Supplementary Agreement.

AND

IN THE MATTER OF

South East U.P. Power Transmission Company Limited

Through its CEO, Plot No. 409, 4th Floor, Shalimar Titanium

Vibhuti Khand, Gomti Nagar, Lucknow

Uttar Pradesh, Pin-226010

..... Petitioner

VERSUS

1. Uttar Pradesh Power Transmission Corporation Ltd.

Through its Managing Director, 7th Floor Shakti Bhawan,

14-Ashok Marg Lucknow, Uttar Pradesh, Pin-226001

2. Paschimanchal Vidyut Vitran Nigam Ltd.

Through its Managing Director, Urja Bhawan, Victoria Park,

Meerut, Uttar Pradesh, Pin-250001

3. Dakshinanchal Vidyut Vitran Nigam Ltd.





Through its Managing Director, Urja Bhawan, Sikandra, NH-2,
Agra-Delhi Bypass Road, Sikandra, Agra, Uttar Pradesh, Pin-282008

4. Purvanchal Vidyut Vitran Nigam Ltd.

Through its Managing Director, DLW, Bhikharipur, Varanasi,
Uttar Pradesh, Pin-221004

5. Madhyanchal Vidyut Vitran Nigam Ltd.

Through its Managing Director, 4-A, Gokhle Marg, Lucknow
Uttar Pradesh, Pin-226001.

6. Uttar Pradesh Power Corporation Ltd.

Through its Managing Director,
Shakti Bhawan, 14 Ashok Marg,
Lucknow, Uttar Pradesh, Pin-226001.

..... Respondents

THE FOLLOWING WERE PRESENT

1. Sh. Ashutosh Srivastava, Advocate, SEUPPTCL
2. Sh. Siddharth Joshi, Advocate, SEUPPTCL
3. Sh. Altaf Mansoor, Advocate, UPPTCL
4. Sh. Tanay Chaudhary, Advocate, UPPTCL
5. Sh. Deepak Raizada, CE, UPPCL
6. Sh. S.C. Joshi, SE, UPPCL
7. Sh. Rakesh Kumar, SE, UPPTCL

ORDER

(DATE OF HEARING: 30.11.2023)

1. The Commission vide its Order dated 19.10.2023 had directed the Petitioner to serve a copy of the Petition to UPPCL. Further, Respondents had to file their reply within four weeks and thereafter Petitioner were given two weeks' time to file its rejoinder(s).
2. Sh. Altaf Mansoor, Counsel appeared on behalf of UPPTCL submitted that a reply could not be filed despite his best efforts as UPPTCL had to coordinate with LTTCs also in the matter

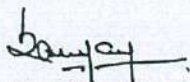
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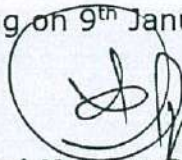
before filing any reply thus, he apologised and requested the Commission to grant two days to file his reply.

3. Sh. Ashutosh Srivastava, Counsel appeared on behalf of Petitioner submitted that he would file his rejoinder within one week and requested the Commission for early hearing because matter is at critical stage as transmission group 2A of the project is scheduled to be commission in January 2024. He further submitted that State of Uttar Pradesh has issued a letter which provides effective date as 15th September 2023 and group 2A of the project is to be commissioned within four months of the effective date i.e., by 15th January 2024.
4. Sh. Deepak Raizada appeared on behalf of UPPCL submitted that since UPPCL in one of its earlier petition had adopted the reply of UPPTCL and this time also UPPCL would, in all probability, adopt the reply of UPPTCL and an affidavit will be filed to the same effect.
5. The Commission after hearing the parties expressed its displeasure over UPPTCL for not filling reply within stipulated timeline and considered it pertinent to direct UPPTCL to pay cost of Rs. 5,000/- for wasting the valuable time of the Commission by depositing the same into the account of the Commission before next date of hearing. The Commission cautioned all parties should adhere the timelines for filing reply failing which the Commission would be constrained to impose cost.
6. Further, the Commission granted two weeks to Respondents to file their reply and thereafter, Petitioner should file its rejoinder within one week. The Petitioner shall also clarify effective date, stated as 15th September 2023, through documentary evidence and submission in this regard shall be made within one week. Although, the petition was served to UPPCL, the Commission formally impleads UPPCL in array of parties as its presence is necessary considering State owned distribution licensees are LTTC's in the TSA and UPPCL is their authorized representative.
7. The matter is next listed for hearing on 9th January 2024.



(Sanjay Kumar Singh)

Member



(Vinod Kumar Srivastava)

Member (Law)



(Arvind Kumar)

Chairman

Place: Lucknow
Dated: 04 .12.2023

