



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

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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

..... Respondents

THE FOLLOWING WERE PRESENT

1. Sh. Shri Venkatesh, Advocate, Petitioner (Attendance not marked)
2. Sh. Altaf Mansoor, Advocate, UPPTCL (Attendance not marked)

ORDER

(DATE OF HEARING: 19.12.2023)

1. Sh. Shri Venkatesh appearing on behalf of SEUPPTCL mentioned the matter before the Commission and submitted that during the last hearing held on 30.11.2023, the matter was listed for 09.01.2024 for final disposal in view of additional time sought by Respondents to place their reply on record. However, an application dated 15.12.2023 has been filed by the Petitioner to seek early listing of Petition on 19.12.2023 considering that the approval in question is imperative for the Petitioner to secure adequate and timely funding for the implementation/commissioning of Group-2A & 2B elements and for completing Group- 2A by 15.01.2024 in terms of the second supplementary TSA (STSA).
2. He further submitted that if the present application is not allowed and the Petition in question is not listed for early disposal then grave injury would be caused to the Petitioner as it would create uncertainty over the implementation of the project. Moreover, the Petitioner has filed an affidavit dated 15.12.2023 stating

by



by






that it does not seek to press prayer (c) of the Instant Petition with liberty to approach the Commission on prayer (c) on later stage, if required, and requested to grant approval only on the execution of the second STSA, as agreed upon between the Petitioner and Respondents.

3. Sh. Altaf Mansoor appearing on behalf of UPPTCL submitted that he will file his reply within a week.
4. The Commission considered the submission made by parties and opined that the matter cannot be taken up today as Respondents need to file their reply which needs to be considered by the Commission for proper and effective adjudication. Accordingly, the Commission directed Respondents to file their reply on the Petition as well as on the Petitioner's application dated 15.12.2023 by 30th December 2023 positively, so that the matter can be taken up for hearing on 04th January 2024 considering the urgency posed by the Petitioner in the matter. Hence, the matter is rescheduled and is now listed for hearing on 04.01.2024.


(Sanjay Kumar Singh)
Member


(Vinod Kumar Srivastava)
Member (Law)


(Arvind Kumar)
Chairman

Place: Lucknow
Dated: 20.12.2023

