



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2021 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

Seeking approval of Supplementary Power Purchase Agreement (SPPA) dated 16.01.2023 signed between M/s NTPC Green Energy Limited (NGEL), Unit- Bilhaur (85 MW. Project) and U.P. Power Corporation Ltd. for the change of name of the generating company from M/s NTPC Ltd. to M/s NTPC Green Energy Limited (NGEL).

AND

IN THE MATTER OF

U.P Power Corporation Ltd. (UPPCL),

(Through its Superintending Engineer-(PPA)),

14th Floor, Shakti Bhawan Ext.,

14-Ashok Marg, Lucknow-226001

..... Petitioner

VERSUS

M/s NTPC Green Energy Limited (NGEL), Unit-Bilhaur,

Core-7, Scope Complex, 7, Institutional Area,

Lodhi Road, New Delhi – 110003

..... Respondent

FOLLOWING WERE PRESENT

1. Shri S.K. Chaurasia, S.E(PPA), UPPCL
2. Shri C.P. Maurya, A.E, UPPCL
3. Shri Jitendra Kumar Malhotra, Add. GM, NGEL

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ORDER

(DATE OF HEARING: 09.01.2024)

1. The Petition has been filed by UPPCL seeking approval of SPPA dated 16.01.2023 signed between NGEL, Unit- Bilhaur (i.e., 85 MW Project) and UPPCL for the change of name from NTPC Ltd. to NTPC Green Energy Limited i.e., NGEL. Prayers of the Petitioner are as below:
 - a) Allow the Petition accordingly.
 - b) Accord approval to Supplementary PPA dated 16.01.2023, entered into between M/s NTPC Green Energy Limited, Unit-Bilhaur and UPPCL.
 - c) Issue any other order or direction as it may deemed fit in the facts and circumstances stated in the Petition.

Submissions by the Petitioner.

2. A Power Purchase Agreement dated 11.02.2019 was executed between M/s NTPC Limited and UPPCL for procurement of 85 MW Solar PV based power from M/s NTPC's Solar power plant situated at District Bilhaur in the state of Uttar Pradesh, which was approved by this Commission vide Order dated 18.09.2019 in Petition No.1479/2019. Amended PPA was signed on 03.09.2019 in compliance with the Commission's Order dated 22.08.2019 in Petition No.1479/2019 to rectify the deviation of clause 10.3.4 regarding rebate from the approved RfP.
3. M/s NTPC Limited vide its letter dated 11.07.2022 has intimated to UPPCL that subsequent to signing the PPA dated 11.02.2019, NTPC Green Energy Ltd. (NGEL) has been incorporated as a wholly owned subsidiary of NTPC for its renewable projects including Bilhaur 85 MW project. Further, NTPC Limited has requested UPPCL to transfer above mentioned 85 MW Bilhaur PPA from NTPC Limited to NTPC Green Energy Limited.
4. Accordingly, a Supplementary PPA dated 16.01.2023 was executed between NGEL and UPPCL incorporating the following mentioned conditions:

(i) The parties acknowledge and confirm that post closure of transaction of the Solar Power Project from NTPC to NGEL as per the terms of the Business Transfer

by



by

by