



**ORDER
OF THE
WEST BENGAL ELECTRICITY REGULATORY COMMISSION
IN CASE NO. PPA – 42 / 10 – 11 / VOL II**

IN REGARD TO THE APPLICATION SUBMITTED BY WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY (WBSEDCL) FOR APPROVAL OF AMENDMENT AGREEMENT NO. 1 DATED 29.02.2024 TO POWER SALE AGREEMENT DATED 05.01.2011 EXECUTED BY AND BETWEEN WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED (WBSEDCL) AND PTC INDIA LIMITED (PTC) FOR PURCHASE OF 100 MW POWER FROM THE THERMAL POWER PLANT OF ADHUNIK POWER AND NATURAL RESOURCES LIMITED (APNRL) THROUGH PTC, IN TERMS OF REGULATION 7.4 OF THE WEST BENGAL ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS OF TARIFF), REGULATIONS, 2011, AS AMENDED.

PRESENT:

**SRI MALLELA VENKATESWARA RAO, CHAIRPERSON
SRI PULAK KUMAR TEWARI, MEMBER**

DATE: 22.03.2024



Approval of Amendment Agreement dated 29.02.2024 to Power Sale Agreement dated 05.01.2011 executed by and between West Bengal State Electricity Distribution Company Limited (WBSEDCL) and PTC India Limited (PTC) for purchase of 100 MW power from the thermal power plant of Adhunik Power and Natural Resources Limited (APNRL) through PTC, in terms of regulation 7.4 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff), Regulations, 2011, as amended



Facts in Brief

- 1.0 The West Bengal State Electricity Distribution Company Limited (in short 'WBSEDCL') submitted an application vide letter dated 04.03.2024 for approval of Amendment Agreement No. 1 dated 29.02.2024 to Power Sale Agreement dated 05.01.2011 executed by and between West Bengal State Electricity Distribution Company Limited (WBSEDCL) and PTC India Limited (PTC) for purchase of 100 MW power from the thermal power plant of Adhunik Power and Natural Resources Limited (APNRL) through PTC, in terms of regulation 7.4 of the West Bengal Electricity Regulatory Commission (Terms and Conditions of Tariff), Regulations, 2011, as amended. Subsequently, WBSEDCL has submitted a supplementary application on 22.03.2024 with a copy of the Power Sale Agreement dated 29.02.2024 for approval of the Commission. The Commission admitted the application along with the supplementary application and registered it in Case No. PPA – 42/ 10 – 11/ (Vol – II).
- 2.0 WBSEDCL in its application inter-alia submitted the following:
 - 2.1 Adhunik Power & Naturals Resources Limited (APNRL) operates a 540 MW coal-based thermal power station in Saraiketa Kharsawan district of Jharkhand, classified as a generating company under section 2 of the Electricity Act, 2003.
 - 2.2 Power is being supplied to WBSEDCL from the thermal power plant of APNRL on mutually agreed tariff in terms of the following arrangement:
 - a) Power Sale Agreement (PSA) executed between WBSEDCL and PTC read with Supplementary PSA dated 01.12.2011; and
 - b) Power Purchase Agreement (PPA) dated 25.03.2011 read with Amendment Agreement No. 1 dated 26.04.2011 and Amendment Agreement No. 2 dated 01.12.2011 executed on back-to-back basis between PTC and APNRL.

The said arrangement was approved by the Commission vide order dated 15.12.2011.

- 2.3 Subsequently, WBSEDCL, PTC and APNRL entered into an agreement to settle down their dispute on mutual tariff and agreed that, the tariff shall be determined by this Commission under Section 62 and 64(5) of the Electricity Act, 2003 in accordance with the WBERC Tariff