



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2108/2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Miscellaneous Petition under Regulation 28 (iv) of the Uttar Pradesh Electricity Regulatory Commission (Terms and Conditions of Generation Tariff) Regulations, 2019 as amended from time to time and the Power Purchase Agreement dated 26.09.2014 (along-with Addendum No. 1 dated 04.09.2019), approved by this Hon'ble Commission vide its Order dated 20.04.2016 in Petition No. 971 of 2014 read with the Order dated 15.01.2016, as well as the Order dated 06.05.2020 in Petition No. 1438 of 2019 for carrying out prudence check of the cost for procurement and use of Additional Coal on account of shortfall in supply of FSA Grade Coal in FY 2023-24 for supply of 187 MW Gross Contracted Capacity to Noida Power Company Limited from Unit 2 of 2 x 300 MW Coal based thermal generating station of Dhariwal Infrastructure Limited located at Tadali, Chandrapur in the State of Maharashtra.

AND

IN THE MATTER OF

Dhariwal Infrastructure Ltd. (DIL)

CESC House, Chowringhee Square, Kolkata – 700001, West Bengal

..... **Petitioner**

VERSUS

Noida Power Company Ltd. (NPCL)

Electric Sub-station, Knowledge Park-IV, Gr. Noida, Gautam Buddha Nagar, Uttar Pradesh,
Pin- 201301

by



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..... Respondents

THE FOLLOWING WERE PRESENT

1. Shri Rahul Mukherjee, Deputy Manager, DIL
2. Ms. Abiha Zaidi, Advocate, DIL
3. Ms. Srishti Rai, Advocate, NPCL

ORDER

(DATE OF HEARING: 17.10.2024)

1. During the hearing, Ms. Abiha Zaidi, Counsel for Petitioner (DIL), submitted that present petition was filed in terms of the Commission's Order dated 06.05.2020 in Petition No. 1438 of 2019 for truing up the cost of additional coal on account of shortfall in supply of FSA Grade Coal. Ms. Zaidi further submitted that total claim towards additional coal for FY 2023-24 worked out to Rs. 22.50 Cr after adjusting credit note of Rs. 4.7. Cr. Subsequently, NPCL filed its reply on 30.09.2024 and DIL filed its rejoinder on 14.10.2024.
2. The Commission enquired regarding the reason for sharp rise in requirement of additional coal during the period January 2024 – February 2024. In her response, Ms. Zaidi submitted that supply of coal allocated to DIL under the FSA was lesser. The Commission further enquired about fixed cost and energy charge of DIL's plant. In response, representative of DIL submitted that energy charge and fixed charge, as approved in the concerned MYT order for FY 2023-24, were Rs. 2.471 per unit and Rs. 1.727 per unit respectively. However, after accounting the per unit cost due to additional coal of Rs. 0.17 and change in law of Rs. 0.04, the energy charge worked out to Rs. 2.681 per unit. Thus, generation tariff for FY 2023-24 for supply to NPCL worked out to Rs. 4.408 per unit.
3. The Commission further enquired about the proportion of coal used for supply of contracted capacity to NPCL under the FSA. Representative of DIL responded that around 73% of coal allocated under FSA, which was supplied by the CIL, was used for supply of contracted capacity to NPCL and remaining coal requirement was met through the procurement of RCR and E-Auction coal.

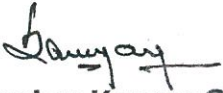
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4. Ms. Srishti Rai, Counsel for Respondent (NPCL) submitted that NPCL has paid 90 percent of the claimed amount by DIL.
5. The Commission, after hearing the parties, reserved its order in the matter.


(Sanjay Kumar Singh)
Member




(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 29.10.2024

