



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Petition No. 2132 of 2024**

**QUORUM**

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

**IN THE MATTER OF**

Petition under Section 86(1) (k) of the Electricity Act, 2003 read with Regulation 7.4 & 7.5 of the UPERC (Power System Development Fund) Regulations, 2023 and Regulation 15 of the UPERC (Conduct of Business of Regulations), 2019 for approval of the disbursal of fund for Upgradation of on-site IT data center (DC Lucknow & DR-Modipuram, Meerut) established for website (www.upsldc.org) and the Energy Accounting and Settlement System application for UPSLDC.

**AND**

**IN THE MATTER OF**

U P State Load Despatch Centre Limited (UPSLDC)

Phase-II, Vibhuti Khand, Gomti Nagar

Lucknow, Uttar Pradesh-226010.

..... Petitioner

**THE FOLLOWING WAS PRESENT**

1. Sh. Divyanshu Bhatt, Advocate, Petitioner
2. Sh. Savyasachi Sumitra, Advocate, Petitioner
3. Sh. Arun Kumar Mishra, Director, UPSLDC
4. Sh. Suresh Chandra, CE, UPSLDC
5. Sh. Vivek Martoliya, SE, UPSLDC
6. Sh. Sarvesh Kumar, SE, UPSLDC
7. Sh. Mohsin Khan, AE, UPSLDC





8. Sh. Afjal Siddique, AE, UPSLDC
9. Sh. Swapnil Singh, AE, UPSLDC
10. Sh. Shashank Singh, AE, UPSLDC

**ORDER**

**(DATE OF HEARING: 08.10.2024)**

1. Sh. Divyanshu Bhatt, Counsel appearing on behalf of Petitioner submitted that UPSLDC has filed the instant Petition under Section 86(1) (k) of the Electricity Act, 2003 ("the Act"), read with Regulations 7.4 and 7.5 UPERC (Power System Development Fund) Regulations, 2023 ("PSDF Regulations") for approval of Project Cost of Rs. 37.82 Cr. as grant under Regulation 7.4 & 7.5 of PSDF Regulations to be granted to UPSLDC as the project entity for upgradation of on-site IT data center (DC Lucknow & DR-Modipuram, Meerut).
2. At the outset, the Commission observed that the Petitioner has not submitted its reply in respect of queries raised by the Commission vide letter dated 27.09.2024. Further, the Commission asked the Petitioner whether the PSDF account is operational and how much amount is presently available in the same.
3. In response to the said query, Sh. Arun Kumar Mishra, Director UPSLDC submitted that UPSLDC has not able to open the PSDF account, however, around Rs. 300 Crore is available in the DSM account. He further submitted that issue of PSDF account opening is in process and the board of the company will soon decide upon the matter.
4. The Commission, after hearing, observed that the matter is premature to hear as PSDF account is still not in place therefore, the Petitioner needs to amend the Petition to comply with the Regulation 3.3 of PSDF Regulations, which stipulates that the Commission through an order may, from time to time, decide on the basis of the proposal of the Nodal Agency, upon minimum amounts to be maintained in respective accounts under clauses (a) to (c) of Regulation 3.1 before transfer to the credit of PSDF. In the context, it is pertinent to reproduce Regulation 3.1 capturing point (a) to (c) as below: -

*3.1 A fund named "Power System Development Fund" or "PSDF" shall be constituted, maintained and operated by UPSLDC and the following amounts shall be credited thereto:*

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- (a) *Deviation Settlement Charges standing to the credit of the "State Deviation Pool Account" after final settlement of claims in accordance with Deviation Settlement Mechanism Regulations.*
- (b) *Reactive Energy Charges standing to the credit of "State Reactive Energy Charges Account" after final settlement of claims in accordance with the State Grid Code.*
- (c) *Such other charges as may be notified by the Commission from time to time.*

5. In view of above, the Commission directs the Petitioner as follows:

- (a) Open PSDF account.
- (b) Amend Petition to take directions of the Commission on minimum amounts to be maintained in respective accounts under clauses (a) to (c) of Regulation 3.1 before transfer to the credit of PSDF.
- (c) Submit its response on the queries asked by the Commission vide letter dated 27.09.2024.
- (d) Provide justification that how the proposed scheme in the Petition complements the objectives of the PSDF Regulations for funding/utilization of PSDF fund.
- (e) Submit the status/statements of State Deviation Pool Account and State Reactive Energy Charges Account as on 30.09.2024.

6. The matter is next listed for hearing on 5<sup>th</sup> November 2024.



**(Sanjay Kumar Singh)**  
Member



  
**(Arvind Kumar)**  
Chairman

Place: Lucknow

Dated: 16 .10.2024