



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Petition No. 2053 of 2023**

**QUORUM**

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

**IN THE MATTER OF**

Petition under Section 86(l)(b) and Section 86(l)(f) of the Electricity Act, 2003 read with Article 13 of the Power Purchase Agreement dated 21.11.2008 filed on behalf of Prayagraj Power Generation Company Limited seeking: (i) declaration of event of Change in Law due to mandatory use of treated sewage water by the Thermal Power Plants as per National Tariff Policy, 2016 and (ii) approval of Capex and Opex (presently in Rs/KL as per the Option-3 of the revised PFR submitted by Uttar Pradesh Jal Nigam) incurred due to mandatory usage of Sewage Treatment Plant (STP) treated water at door step of PPGCL.

**AND**

**IN THE MATTER OF**

**Prayagraj Power Generation Company Ltd.,**

Shatabdi Bhawan, Sector 4, Gautam Budh Nagar, Noida-201301

..... Petitioner

**VERSUS**

**1. U.P. Power Corporation Ltd. (UPPCL)**

Shakti Bhawan, 14-Ashok Marg, Lucknow-226001

**2. Madhyanchal Vidyut Vitran Nigam Ltd. (MVVNL),**

4-A, Gokhale Marg Lucknow.

**3. Paschimanchal Vidyut Vitran Nigam Ltd. (PVVNL),**

Victoria Park, Meerut

**4. Purvanchal Vidyut Vitran Nigam Ltd. (PuVVNL),**

DLW, Bhikaripur, Varanasi

**5. Dakshinanchal Vidyut Vitran Nigam Ltd. (DVVNL),**

Urja Bhawan, 220KV U.P. Sansthan Bypass Road, Agra

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**6. Kanpur Electricity Supply Company Ltd.**

14/17 Civil lines, KESA House, Kanpur,

..... Respondents

**FOLLOWING WERE PRESENT**

1. Shri Nived Veerapaneni, Advocate, UPPCL
2. Shri Harron Aslam, CE, UPPCL
3. Shri Ayush Singh, EE-Planning, UPPCL
4. Shri Chetan Saxena, Advocate, PPGCL
5. Shri Shivam Sinha, Advocate, PPGCL
6. Shri Sanjay Bhargava, PPGCL

**ORDER**

**(DATE OF HEARING: 12.11.2024)**

1. During the last hearing on 17.10.2024, the Shri Nived Veerapaneni, counsel for UPPCL, raised the issue of discrepancy between the prayer of the Petition and documents submitted by the Petitioner. The Commission directed PPGCL to clarify regarding the funding of capex to be incurred for construction of tertiary treatment plant and laying of conveyance main from Naini STP to Bara Project during next hearing along with a written submission. PPGCL filed its written submission in the hearing itself on 12.11.2024.
2. During the hearing today, Shri Shivam Sinha, counsel for PPGCL informed the Commission that project was not being funded by Govt. of India and placed its reliance on minutes of 4<sup>th</sup> meeting of Steering Committee wherein NMCG stated that funding of STP water re-use project cannot be done under AMRUT mission. Further, Shri Sinha admitted that there was an inadvertent error and miscommunication by counsel of PPGCL, in last hearing, about funding of the project. Subsequently, Shri Nived Veerapaneni, counsel for UPPCL, submitted that there was no provision regarding in-principle approval of capex based on pre-feasibility report, wherein the capex figures were subject to change. He sought four weeks' time to file his reply against PPGCL's written submission made during the hearing.



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3. After hearing the parties, the Commission allowed the UPPCL to file its reply within four weeks. Further, considering the vacant position of the Member (Law) in the quorum, the Commission decided to list the matter for hearing after joining of Member (Law). The date of the next hearing would be communicated through a separate notice.

  
(Sanjay Kumar Singh)  
Member



  
(Arvind Kumar)  
Chairman

Place: Lucknow

Dated: 18.11.2024

