



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2072 of 2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section 62(a) and 86 of the Electricity Act, 2003 read with Regulation 57 (A) of the UPERC (Conduct of Business) Regulations, 2019 for recovery of Additional Expenditure incurred due to ash transportation charges consequent to Ministry of Environment, Forest & Climate Change, Government of India Notifications dated 03.11.2009, Notification dated 25.01.2016 and Notification dated 31.12.2021 on a recurring basis.

AND

IN THE MATTER OF

U.P. Rajya Vidyut Utpadan Nigam Ltd,
Shakti Bhawan, 14-Ashok Marg, Lucknow-226001

..... **Petitioner**

VERSUS

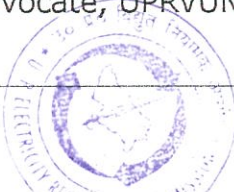
- 1. U.P. Power Corporation Ltd. (UPPCL)**
Shakti Bhawan, 14-Ashok Marg, Lucknow-226001
- 2. Madhyanchal Vidyut Vitran Nigam Ltd. (MVVNL),**
4-A, Gokhale Marg Lucknow.
- 3. Purvanchal Vidyut Vitran Nigam Ltd. (PuVVNL),**
DLW, Bhikaripur, Varanasi
- 4. Paschimanchal Vidyut Vitran Nigam Ltd. (PVVNL),**
Victoria Park, Meerut
- 5. Dakshinanchal Vidyut Vitran Nigam Ltd. (DVVNL),**
Urja Bhawan, 220KV U.P. Sansthan Bypass Road, Agra
- 6. Kanpur Electricity Supply Co. Ltd,**
Headquarter, Kesa House, Kanpur

..... **Respondents**

FOLLOWING WERE PRESENT

1. Shri Ashutosh Kr. Srivastav, Advocate, UPRVUNL

by






2. Shri Ved Anand Pal, EE, UPRVUNL
3. Ms. Puja Priyadarshani, Advocate, UPPCL
4. Shri Deepanshu Chandak, Advocate, UPPCL
5. Shri Shubham Srivastava, Advocate, UPPCL

ORDER

(DATE OF HEARING: 17.10.2024)

1. During the hearing, the Commission enquired UPRVUNL regarding reasons for filing consolidated petition for all its power stations. In his response, Sh. Ashutosh Kr. Srivastav, Counsel for UPRVUNL, submitted that all the petitions had similar issues pertaining to claim of expenditure on account of ash transportation for each generating station. The CERC, in its various orders, dealt the issue pertaining to recovery of such expenditure incurred by the NTPC's various stations under one petition. Subsequently, Ms. Puja Priyadarshani, Counsel for UPPCL submitted that decision made by the CERC in the matter of Change in Law was not binding on the Commission as UPERC and CERC have different tariff regulations.
2. The Commission observed that specific regulatory provisions of ash disposal/ change in law need to be invoked in the petition. Further, each generating station has different PPA and involve different set of facts and circumstances in terms of year wise ash generation and disposal for determination of relief on account of change in law. Therefore, the Commission decided to direct UPRVUNL to file separate petition at least at project level with unit-wise details so that effective hearings could take place.
3. Accordingly, the UPRVUNL is directed to file separate petition for each of the projects covered in the instant petition with separate chapters having unit-wise details such as year wise generation and disposal of ash, revenue from ash sale, efforts made for utilization of ash and steps taken to dispose and transport the ash under the various guidelines/ procedures issued by the Ministry of Power time to time.
4. With the above directions, the petition stands disposed of.


(Sanjay Kumar Singh)
Member




(Arvind Kumar)
Chairman

Place: Lucknow
Dated: 21.10.2024