



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2109 of 2024, 2110 of 2024, 2111 of 2024, 2112 of 2024, 2113 of 2024 and 2114 of 2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF:

Petition No. 2109 of 2024

Petition under section 86 (1) (a) and (b) of the Electricity Act, 2003 for approval of SPPA dated 30.03.2024, for Hydro based power generation of 99 MW capacity by Obra Hydro Power Station.

AND

IN THE MATTER OF

Petition No. 2110 of 2024

Petition under section 86 (1) (a) and (b) of the Electricity Act, 2003 for approval of SPPA dated 30.03.2024, for Hydro based power generation of 72 MW capacity by Khara Hydro Power Station.

AND

IN THE MATTER OF

Petition No. 2111 of 2024

Petition under section 86 (1) (a) and (b) of the Electricity Act, 2003 for approval of SPPA dated 30.03.2024, for Hydro based power generation of 3 MW capacity by Babail Small Hydro Power Stations.

AND

IN THE MATTER OF

Petition No. 2112 of 2024

Petition under section 86 (1) (a) and (b) of the Electricity Act, 2003 for approval of SPPA dated 30.03.2024, for Hydro based power generation of 3 MW capacity by Belka Small Hydro Power Stations.

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AND

IN THE MATTER OF

Petition No. 2113 of 2024

Petition under section 86 (1) (a) and (b) of the Electricity Act, 2003 for approval of SPPA dated 30.03.2024, for Hydro based power generation of 3.6 MW capacity by Sheetla Small Hydro Power Stations.

AND

IN THE MATTER OF

Petition No. 2114 of 2024

Petition under section 86 (1) (a) and (b) of the Electricity Act, 2003 for approval of SPPA dated 30.03.2024, for Hydro based power generation of 13.7 MW capacity by Upper Ganga Hydro Power Stations.

AND

IN THE MATTER OF

U.P. Power Corporation Ltd. (UPPCL),
Shakti Bhawan, 14- Ashok Marg, Lucknow-226001

..... Petitioner

VERSUS

Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited (UPRVUNL),
14, Ashok Marg, Shakti Bhawan, 14-Ashok Marg, Lucknow

..... Respondent

FOLLOWING WERE PRESENT

1. Shri Deepak Raizada, CE (PPA), UPPCL
2. Shri Divyanshu Bhatt, Advocate, UPPCL
3. Shri Savyasachi Samitra, Advocate, UPPCL
4. Shri Kashi Nath Yadav, EE, UPPCL
5. Shri Shailesh Singh, CE, UPRVUNL
6. Shri Sunil Kumar, EE, UPRVUNL
7. Shri K.C. Verma, AE, UPRVUNL





ORDER

(DATE OF HEARING: 08.10.2024)

1. The Petitioner i.e. Uttar Pradesh Power Corporation Ltd (UPPCL) has filed Petition Nos. 2109 of 2024, 2110 of 2024, 2111 of 2024, 2112 of 2024, 2113 of 2024 and 2114 of 2024 for approval of Supplementary Power Purchase Agreements (SPPAs) in respect of hydro power stations of Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited (UPRVUNL), executed between UPPCL and UPRVUNL on 30.03.2024 for a period of 5 years from 01.04.2024 to 31.03.2029.
2. The Petitioner has prayed as following:

Petition No. 2109 of 2024 for Obra Hydro Power Station:

- a) Accept Approve the Supplementary power purchase agreement of 99 MW of Hydro based power which was entered into on 30.03.2024, between the Petitioner and UPRVUNL.
- b) Pass any further order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

Petition No. 2110 of 2024 for Khara Hydro Power Station:

- a) Approve the Supplementary power purchase agreement of 72 MW of Hydro based power which was entered into on 30.03.2024, between the Petitioner and UPRVUNL.
- b) Pass any further order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

Petition No. 2111 of 2024 for Babail Small Hydro Power Station:

- a) Approve the Supplementary power purchase agreement of 3 MW of Hydro based power which was entered into on 30.03.2024, between the Petitioner and UPRVUNL.
- b) Pass any further order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

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Petition No. 2112 of 2024 for Belka Small Hydro Power Station:

- a) Approve the Supplementary power purchase agreement of 3 MW of Hydro based power which was entered into on 30.03.2024, between the Petitioner and UPRVUNL.
- b) Pass any further order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

Petition No. 2113 of 2024 for Sheetla Small Hydro Power Station:

- a) Approve the Supplementary power purchase agreement of 3.6 MW of Hydro based power which was entered into on 30.03.2024, between the Petitioner and UPRVUNL.
- b) Pass any further order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

Petition No. 2114 of 2024 for Upper Ganga Hydro Power Station:

- a) Approve the Supplementary power purchase agreement of 13.7 MW of Hydro based power which was entered into on 30.03.2024, between the Petitioner and UPRVUNL.
- b) Pass any further order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

Brief of the case as submitted by Petitioner:

3. The Petitioner (UPPCL) is a deemed Licensee under Section 14 of the Act and undertakes the bulk purchase and sale of electricity on behalf of the five government owned Distribution Licensees in the state of Uttar Pradesh. The Respondent (UPRVUNL) was incorporated under the Companies Act, 1956 with principal object of generating electricity. Uttar Pradesh Jal Vidyut Nigam Limited (UPJVNL) has been merged with UPRVUNL vide U.P. Government's Gazette dated 03.11.2023, under the Uttar Pradesh Electricity Reforms (Amalgamation and Merger of State Generating Companies) Scheme, 2023 by the GOUP.
4. UPJVNL owns and operates Obra Hydro Power Station, Khara Hydro Power Station, Babail Small Hydro Power Station, Belka Small Hydro Power Station, Sheetla Small

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Hydro Power Station and Upper Ganga Hydro power Stations since 14.01.2000. The PPAs dated 28.12.2015, executed between UPJVNL & UPPCL for purchase of power generated from above hydro power stations, have expired on 31.03.2024.

5. The previous PPAs executed between UPJVNL & UPPCL, were for a period of 5 years effective from 01.04.2009 and had expired on 31.03.2014. Subsequently, UPPCL had filed a petition before the Commission on 27.06.2014, for the approval of the previous PPAs vide Petition No. 965 of 2014. The Commission during the proceedings held for Petition No. 965 of 2014 observed that it was out of place to approve PPAs for which term had expired and considering that MYT for next control period for projects was also due, UPPCL was directed to enter into PPA for at least 15 years w.e.f. 01.04.2009 in place of earlier 5 years so that PPA covers previous as well as control period up to 31.03.2024. In compliance of the directions passed by the Commission passed in Petition No. 965 of 2014, UPPCL and UPJVNL entered into PPAs dated 28.12.2015, for purchase of power generated from Obra, Khara, Babail, Belka, Sheetla and Upper Ganga Hydro power Stations which was valid up to 31.03.2024, and the same was approved by the Commission vide Order dated 21.06.2016, in Petition No. 965 of 2014.
6. Further, pursuant to the merger, Obra Hydro Power Station, Khara Hydro Power Station, Babail Small Hydro Power Station, Belka Small Hydro Power Station, Sheetla Small Hydro Power Station and Upper Ganga Hydro Power Stations would be owned and operated by UPRVUNL. Therefore, UPPCL in order to incorporate change in the structure of ownership of above hydro power stations and to amend the PPAs dated 28.12.2015 has executed SPPAs dated 30.03.2024 with UPRVUNL.
7. The SPPAs dated 30.03.2024 were signed only to amend clause 2.0 (Terms of Agreement) of the respective PPAs dated 28.12.2015, for above Hydro Power Stations. Present SPPAs would be valid for a period of five (5) years i.e. from 01.04.2024 to 31.03.2029.

Record of Proceedings

8. During the hearing, Shri Divyanshu Bhatt, counsel for UPPCL, submitted that instant Petition has been filed for approval of SPPAs dated 30.03.2024 signed by UPPCL with UPRVUNL. He further submitted that pursuant to merger of UPJVNL with UPRVUNL, the

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name of the company has been changed from UPJVNL to UPRVUNL. Representative of UPRVUNL expressed no objection towards the present petition filed by UPPCL.

Commission's Analysis and Decision

9. Previously, the Commission vide its Order dated 21.06.2016, in Petition No. 965 of 2014, had approved PPAs dated 28.12.2015 for UPJVNL's Hydro Power Generating Stations namely, Rihand, Obra, Matatila, Khara, Ganga Canal Power Station, Babail (SHP), Belka (SHP) and Sheetla (SHP) for the period from 01.04.2009 to 31.03.2024.
10. The Petitioner has filed present Petition for approval of SPPAs dated 30.03.2024 executed between UPPCL and UPRVUNL to amend the tenure of PPAs dated 28.12.2015, for further five years, which got expired on 31.03.2024. Present SPPAs would be valid for a period of five (5) years from 01.04.2024 to 31.03.2029. All other terms of PPAs dated 28.12.2015 remain unchanged. The details of installed capacity, the age of the generating stations and their tariffs are listed in table below:

Table 1 : Hydro Power Stations concerned to SPPAs dated 30.03.2024

S. N.	Name of Project	Installed Capacity (MW)	Year of Commissioning	Age of Plant as on 31.03.2024 (Years)	Tariff ¹ (Rs. / Unit) for FY 2023-24	
1	Obra	3X33	1970-1971	53	0.56	
2	Khara	3X24	1992-1993	31	0.51	
3	Upper Ganga Hydro Power Stations	Bhola	4X0.375+2X0.6	Between 1929-1935	92	3.11
		Chitaura	2X1.5	1937-1938	86	
		Nirgazini	2X2.5	Between 1931-1937	90	
		Salwa	2X1.5	1937-1938	87	
4	Belka SHP	2X1.5	2002-2003	21	2.40	
5	Babail SHP	2X1.5	2002-2003	21	3.21	
6	Sheetla SHP	3X1.2	2006-2007	17	1.67	

¹ As per the Commission's MYT Order dated 15.03.2023 for Hydro Power Stations of UPJVNL for F.Y. 2019-24, Order dated 24.05.2024 in Review Petition No. 2030 of 2023 and Corrigendum dated 03.06.2024 in in Review Petition No. 2030 of 2023

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Commission's View

The Commission approves the SPPAs dated 30-03-2024 to the respective PPAs dated 28.12.2015 for hydro power stations, as listed in Table 1, for a further period of five (5) years i.e. from 01.04.2024 to 31.03.2029.

Accordingly, the Petition is disposed of.

(Sanjay Kumar Singh)
Member



(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 15.10.2024

