



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

Petition No. 2186 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003 and Regulation 15 of the UPERC (Conduct of Business) Regulations, 2019 for approval of PPA and Supplementary PPA executed between Project Developers and UPPCL, and adoption of tariff discovered through Request for Selection (RfS) invited for procurement of power through tariff based competitive bidding process from grid connected solar plants connected to selected segregated agriculture feeder of distribution substation with cumulative capacity of 150MW for sale of power to UPPCL vide the PPA and SPPA through RESCO mode under Feeder Level Solarization of PM-KUSUM Component C2 Scheme.

AND

IN THE MATTER OF

1. U.P. New & Renewable Energy Development Agency (UPNEDA),

Vibhuti Khand, Gomti Nagar, Lucknow – 226010

2. Uttar Pradesh Power Corporation Ltd. (UPPCL),

14th Floor, Shakti Bhawan Extension, 14 –Ashok Marg, Lucknow – 226001.

..... Petitioner(s)

Versus

1. M/s Purshotam Renew One Pvt. Ltd.

City Tower, 2nd Floor, Netaji Subhash Place, Pitampura, Delhi-110034

2. M/s RAVC Solution Pvt. Ltd.





404, Bhavya Corporate Tower, Vibhuti Khand, Gomti Nagar, Lucknow- 226010

3. M/s RAVC Green Energy Pvt. Ltd.

5/588, Vikas Khand, Gomti Nagar, Lucknow- 226010

4. M/s Sheel Facility Pvt. Ltd.

H.N. 666, Sector 38, Gurugram, Haryana-122001

5. M/s Sheel Minerals & Logistic Pvt. Ltd.

H.N. 666, Sector 38, Gurugram, Haryana-122001

6. M/s Starway Energy Pvt. Ltd.

29-A, Ranapratap Enclave, Victoria Park, Meerut, U.P. – 250001

7. M/s Sungrace Renewable Energy Pvt. Ltd.

H.N. 666, Sector 38, Gurugram, Haryana-122001

8. Shri Chandan Singh

H.N. 82, Sisona, Sisona-2, Rampur Sadar, Muzaffarnagar, Uttar Pradesh.

9. M/s Beruar Farmer Producer Company Ltd.,

C/o Deenanath, Vill – Karihara, Post- Berubari, Ballia, Uttar Pradesh- 277304.

10. M/s OMC Power Pvt. Ltd.

B-7, Vibhuti Khand, Gomti Nagar, Lucknow- 226010

11. M/s Mechtronik Technologies Pvt. Ltd.

701B Synergy, Near Vodafone House, Prahladnagar, Ahmedabad- 380015.

12. M/s Fairces Solar Energy Solutions Pvt. Ltd.,

C-1/426, Sector G, Jankipuram, Lucknow – 226021.

FOLLOWING WERE PRESENT

1. Sh. Divyanshu Bhatt, Advocate, UPPCL & UPENDA
2. Sh. Rakesh Agarwal, SPO, UPNEDA
3. Sh. Swanand Vaidya, Consultant, UPNEDA

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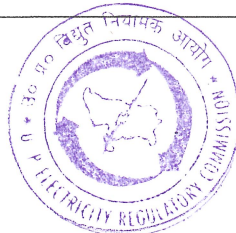
4. Sh. Yash Joshi, Advocate, Respondent No. 2, 3, 4, 5, 6, 7 & 12
5. Sh. Himanshu Singh, Advocate, Respondent No. 2, 3, 4, 5, 6, 7 & 12
6. Sh. Akshat Singh, Director, Mechatronik Technology
7. Sh. Satish Kumar Prajapati, Engineer, Respondent No. 2 & 3

ORDER

(DATE OF HEARING: 08.04.2025)

1. The Commission, vide its earlier Order dated 18.03.2025, had allowed one weeks' time to the remaining Respondents to file their reply barring Respondent No. 11. Further, UPNEDA was allowed to file its rejoinder to the Respondent's replies already submitted till last hearing dated 01.04.2025. On 04.04.2025, Respondent No. 2, 3 & 12 filed their reply while on 07.04.2025, Respondent No. 4, 5, 6 & 7 filed their reply in the matter.
2. During the hearing today, Sh. Divyanshu Bhatt, Counsel of Petitioner(s) submitted that they have filed their rejoinders to all the replies in the hearing itself. On specific query of the Commission regarding status of the UPPCL's rejoinder, Sh. Bhatt responded that though bidding was conducted by UPNEDA, but he would also be filing an affidavit on behalf of UPPCL in this regard within two days' time.
3. Advocate of Respondents submitted that issue of Schedule Commissioning Date (SCD) extension in the instant matter can be considered by the Commission and in this context, he referred to the Hon'ble APTEL's Judgement in Appeal No. 251/2021 against the Rajasthan Electricity Regulatory Commission Order. The Commission observed that the referred Hon'ble APTEL's Judgement was with regard to compensation on account of Change in Law event and was not related to extension of SCD therefore, the Judgement is not directly applicable in the instant matter.
4. Further, Advocate of Respondents submitted that reckoning date for meeting SCD needs to be clarified i.e., whether it was from LoA or PPA signing date, to which Sh. Bhatt responded that there was express provision in the PPA that it would be date of signing PPA. The Commission observed that effective date of PPA (i.e., date of signing PPA) would be reckoned as the SCD timeline. On specific query of the Commission regarding MNRE OM dated 01.03.2024 that most of the Respondents were relying upon, Advocate

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of Respondents submitted that they were under impression that time extension of six months would be allowed by UPNEDA therefore, they did not protest about the SCD timeline of 12 months, while executing PPAs. The Respondents further expressed their keenness to commission the project and also submitted that SCD extension would facilitate them in financial closure and loan disbursal. Regarding land acquisition, Advocate of Respondents submitted that some of them were in final stage of acquisition, while few had already acquired it.

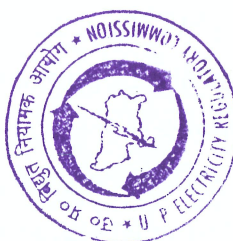
5. In response to the Commission's query regarding status of the project, Sh. Bhatt responded that few of the Respondent had achieved financial closure, while some were going ahead with self-financing. Further, Advocate of Respondents and Sh. Bhatt sought one weeks' time to discuss among themselves and arrive at a mutual consent regarding SCD time extension of 6 months accordingly, they would file their respective affidavit in this regard.
6. After hearing the parties, the Commission allowed one weeks' time to the parties to discuss the issue within the regulatory framework and place on record their respective submissions. Further, UPNEDA was also directed to file 'Bid Conformity Certificate' in terms of the Commission's Order dated 18.03.2025 in the matter.

List the matter for next hearing on 17.04.2025.


(Sanjay Kumar Singh)
Member

Place: Lucknow

Dated: 11.04.2025




(Arvind Kumar)
Chairman