



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2202 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition, under Section 63 of the Electricity Act, 2003 read with Revised Guidelines for Procurement of Electricity for Medium Term from Power Stations set up on Finance, Own and Operate (FOO) basis dated 30th January 2019 issued by Ministry of Power, for adoption of tariff and approval of agreement for procurement of power by the Hon'ble Commission for purchase of 50 MW RTC Power by Noida Power Company Limited from the Successful Bidder/s pursuant to tariff determined through a transparent and competitive e-Bidding followed by Reverse Auction Process through DEEP Portal adopted in accordance with the Guidelines.

AND

IN THE MATTER OF

Noida Power Company Limited (NPCL),

Plot No. ESS, Knowledge Park-IV, Greater Noida – 201310

..... **Petitioner**

THE FOLLOWING WERE PRESENT

1. Shri Sanket Srivastava, Head (Power Purchase), NPCL

ORDER

(DATE OF HEARING: 27.03.2025)

1. The Petitioner, NPCL, has filed the instant Petition seeking of tariff and approval of agreements, for procurement of 50 MW RTC Power for Medium Term, under the Electricity Act'03 read with revised Guidelines for procurement of electricity on

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medium term basis dated 30.01.2019 issued by MoP, GoI. The prayers of the Petitioner are as follows:

Prayers for the Application of Urgent Listing:

- a) List the Accompanying Petition on an urgent basis;
- b) Pass any other or further order(s) as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

Main Prayers:

- a) Adopt the tariff for procurement of 50 MW Power from M/s Manikaran Power Limited and M/s Dhariwal Infrastructure Limited in view of the Section 63 of the Electricity Act, 2003 read with Medium Term Bidding Guidelines and Standard Bidding Documents Issued by Ministry of Power to enable the Petitioner to supply reliable power to its consumers;
- b) Approve two APPs dated 25.02.2025 and 28.02.2025;
- c) Grant Liberty to the Petitioner to add further Prayer(s) with the permission of the Hon'ble Commission; and
- d) Pass any other order(s) as this Hon'ble Commission may deem fit in facts and circumstances of the case.

Brief of the Case:

2. The Petitioner has mainly submitted the following in the Petition:
 - a. NPCL has following tie-ups for supply of power.

Long-Term Arrangements:

- i) 170 MW RTC power at ex-generator's bus from M/s Dhariwal Infrastructure Ltd.-approximately 158 MW RTC will be available at NPCL bus.
- ii) 25 MW Solar Power at ex-generator's bus from M/s Adani Solar Energy Chitrakoot One Limited-approx. 13-14 MW will be available during day hours at NPCL bus.

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- iii) 25 MW Solar Power at ex-generator's bus from M/s Tata Power Renewable Energy Limited-approx. 13-14 MW will be available during day hours at NPCL bus.
- iv) 10 MW Wind Power at ex-generator's bus from M/s PTC India Limited-approx. 6-7 MW RTC will be available at NPCL bus.

Medium-Term Arrangements:

- i) 100 MW RTC power at ex-generator's bus from M/s Tata Power Trading Company Limited - approximately 93 MW RTC will be available at NPCL bus.
 - ii) 95 MW RTC power at CTU Periphery of Seller from M/s Jindal India Thermal Power Ltd., Orissa approx. 89 MW RTC will be available at NPCL bus.
3. Based on the demand trend of its consumers, the Petitioner has estimated its load requirement for the FY 2025-26 to FY 2027-28 and depending upon the same, the Petitioner expects the energy requirement and peak demand during the above period as follows:

Financial Year	Energy Requirement (MU)	Peak Demand (MW)
2024-25	3945.81	775
2025-26	4412.37	867
2026-27	4941.85	969
2027-28	5534.88	1084
2028-29	6199.06	1212

4. Petitioner had earlier floated a tender for procurement of 100 MW RTC power from 01.04.2025 to 31.03.2028. However, against the bid of 100 MW the Petitioner could contract only 50 MW at the rate of Rs. 5.49 per kWh at CTU Periphery of seller. Therefore, the Petitioner decided to publish another tender for the balance 50 MW from 01.04.2025 to 31.03.2028.
5. A new tender for procurement of balance 50 MW RTC Power was floated in accordance with the Revised Guidelines for Procurement of Electricity for Medium Term from Power Stations set up on Finance, Own and Operate (FOO) basis dated

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30.01.2029 issued by Ministry of Power ("Medium Term Bidding Guidelines"). The successful bidder was required to supply 50 MW (or part thereof, Round the Clock "RTC") for a period of three (3) years commencing from 01.04.2025 to 31.03.2028 having delivery point at CTU Periphery in case of inter-state suppliers and STU Periphery of Seller i.e. interconnection of seller with STU in case of intra-state suppliers ("Delivery Point").

6. The timelines for the bidding process were as follows:

S. No	Event Description	Date and Time
1.	Date and time of Start of e-Tender Stage	14:00 Hrs. of 21.11.2024
2.	Last date and time for receiving queries on RFQ and RFP	18:00 Hrs. of 30.11.2024
3.	Pre-Bid Meeting	15:00 Hrs. of 02.12.2024
4.	Utility response to queries latest by	18:30 Hrs. of 04.12.2024
5.	Last date and time of submission of Application and Bids (including Section A and Section B) – Bid Due Date	16:00 Hrs. of 10.12.2024
6.	Opening of Application	17:00 Hrs. of 10.12.2024
7.	Intimation to Qualified Bidders for opening of their Bids	11:00 Hrs. of 12.12.2024
8.	Opening of Bids of those Qualified Bidders.	13:00 Hrs. of 12.12.2024
9.	Start of e-Reverse Auction	14:00 Hrs. of 12.12.2024
10.	Close of e-Reverse Auction	120 minutes from the start of e-Reverse Auction subject to Auto Extension of 10 minutes
11.	L-1 Matching	If needed at the close of the e-Reverse Auction Stage, there will be an L-1 Matching Round for 30 mins
12.	Letter of Award (LOA)	Within 120 days of Close of

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		Bidding Process or 120 days of Bid due date whichever is earlier
13.	Validity of Bids	120 days of Bid Due Date
14.	Signing of APP	Within 10 days of award of LOA

7. The Petitioner published a tender notice in 'The Indian Express' and 'Financial Express' on 21.11.2024 inviting bids for procurement of 50 MW power from 01.04.2025 to 31.03.2028 in accordance with the Medium-Term Bidding Guidelines at the Delivery Point i.e. the CTU Periphery of the Seller. The last date for submission of bids was 10.12.2024.
8. As per the Medium-Term Bidding Guidelines the Petitioner has adopted e-Bidding Process followed by Reverse Auction on the "Discovery of Efficient Electricity Price Portal" ("DEEP Portal") of Ministry of Power, Govt. of India and appointed M/s PFC Consulting Limited ("M/s PFC") as its Authorized Representative for the purpose of procurement of electricity. The Standard Bidding Documents (RFQ, RFP and APP) were prepared in coordination with PFC based on the Medium-Term Guidelines without any modifications.
9. On the last date of Bid Submission i.e. 13.12.2024 the Petitioner received 4 Bids as follows:
- Adani Power Limited ("APL")
 - Dhariwal Infrastructure Limited ("DIL")
 - Maadurga Thermal Power Company Limited ("MTPCL")
 - Manikaran Power Limited ("MPL")
10. The e-Reverse Auction was conducted on 17.12.2024 by M/s PFC and following rates were discovered:

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S. No	Bidder	Bid Quantum (MW)	Cost of Generation (Rs. /kWh)	Transmission Charges (Rs. /kWh)	Transmission Losses (Rs. /kWh)	Total Tariff at Delivery Point* (Rs. /kWh)
			A	B	C	D = (2*A+B+C)
1.	Manikaran power Limited (source: Sai Lilagar Power Generation Limited, Chhattisgarh)	25	2.705	0.0	0.0	5.41
2.	Dhariwal Infrastructure Limited, Maharashtra)	50	2.71	0.0	0.0	5.42
3.	Adani Power Limited, Raigarh, Chhattisgarh)	50	2.745	0.0	0.0	5.49
4.	Maadurga Thermal Power Company Limited, Bainchua, Tangi, Odisha)	21	2.87	0.0	0.0	5.74

*Delivery Point is the CTU Periphery of the Seller

11. Based on the e-reverse auction held on 17.12.2024 and as per the provisions of the RFP, M/s MPL (Source: Sai Lilagar Power Generation Limited) has been declared

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as successful bidder for the supply of 25 MW power at the tariff of Rs. 5.41 /kWh at the Delivery Point.

12. The Petitioner, vide its letters dated 27.01.2025, requested M/s MPL to provide their best rate against the rate quoted by them of Rs. 5.41/kWh during reverse auction. In response to the above letter, M/s MPL submitted that they have offered the best possible tariff during e-Reverse Auction and the tariff could not be revised further.

13. Further, the Petitioner, vide its letters dated 06.02.2025, requested other bidders viz M/s DIL, M/s MTPCL and M/s APL to match the L1 rate of Rs. 5.41/kWh. In response to above, while M/s Maadurga Thermal Power Company Limited and M/s Adani Power Limited did not accept the request of the Petitioner, however, M/s Dhariwal Infrastructure Limited decided to match the L1 rate of Rs. 5.41/kWh for quantum of 25 MW. Based on above, the revised tariff quoted by the bidders are as below:

S. No	Bidder	Bid Quantum (MW)	Cost of Generation (Rs. /kWh)	Transmission Charges (Rs. /kWh)	Transmission Losses (Rs. /kWh)	Total Tariff at Delivery Point* (Rs. /kWh)
			A	B	C	D = (2*A+B+C)
1.	Manikaran power Limited (source: Sai Lilagar Power Generation Limited, Chhattisgarh)	25	2.705	0.0	0.0	5.41
2.	Dhariwal Infrastructur	25	2.705	0.0	0.0	5.41

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* Delivery Point is the CTU Periphery of the Seller

14. The transmission charges & losses upto the delivery point i.e. CTU periphery is to be borne by the bidder and the transmission charges and losses beyond delivery point i.e. applicable General Network Access Charges ("GNA")/Temporary General Network Access ("T-GNA") charges and losses and Transmission charges and Losses of STU (UPPTCL) are payable by the Petitioner from the Delivery Point upto NPCL bus on actuals.
15. The aforesaid fixed charges have been computed at 85% Normative Availability in accordance with Article 11.4 of the Standard Agreement for Procurement of Power (APP) as provided in the Medium-Term Bidding Guidelines and Standard Bidding Documents. Further, the fixed charges and variable charges are subject to annual escalation in terms of Article 11.3 and Article 12.3.2 of the APP. The relevant portion of the APP is reproduced below:

".....

11.3. Fixed Charges:

For determining the Fixed Charge due and payable to the Supplier, the Base Fixed Charge shall be revised annually to reflect 20% (twenty per cent) of the variation in WPI occurring between January 31 immediately preceding the Bid Date and January 31 immediately preceding the Accounting Year for which such revision is undertaken. For the avoidance of doubt and by way of illustration, if (a) the Bid Date occurs in March 2015; (b) the appointed date occurs in May 2019; and (c) WPI increases by 20% (twenty per cent) between January 31, 2015 and January 31, 2019, the Fixed Charge for the Accounting Year commencing from April 1, 2019 shall be 104% (one hundred and four percent) of the Base Fixed Charge."

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12.3.2 The Parties agree that the generating cost component of Base Variable Charge specified in Clause 12.2 shall be increased for every Accounting Year following the Base Year so as to reflect 50% (Fifty per cent) of the variation in WPI occurring between January 31 immediately preceding the Base Year and January 31 immediately preceding the Accounting Year for which such revision is undertaken. For the avoidance of doubt and by way of illustration, if (a) the Variable Charge specified hereinabove is assumed as 80 paise (eighty paise) and (b) WPI between the two aforesaid dates, the latter being 1 (one) year after the first such date, increase by 6.25% (six point two five per cent), the Variable Charge in the Accounting Year following first Accounting Year shall be 82 paise (eighty two paise)."

16. The above discovered rate was benchmarked with the rates discovered by other utilities in recent medium-term bids of other states. The same is tabulated as below:

DEEP Portal Rates for Medium-term Power for other Utilities for the bid conducted during Jan'24 to Oct'24

Utility Name	Period	Duration (Hrs)	Requisition Quantum (MW)	L-1 Rate* (Rs. /kWh)	Reverse Auction Date
KSEB	01.02.2024 to 30.06.2026	00-24 Hrs.	300	7.48	05-02-2024
APDCL	01.04.2024 to 31.03.2026	00-24 Hrs.	200	7.98	19-02-2024
UPCL	01.12.2023 to 31.03.2027	00-24 Hrs.	300	6.48	16-04-2024
HPPC	01.08.2024 to 31.07.2029	00-24 Hrs.	500	5.78	01-05-2024
NPCL	01.07.2024 to 31.03.2024	00-24 Hrs.	50	5.99	21-05-2024
GRIDCO	01.07.2024 to 30.06.2028	00-24 Hrs.	200	6.50	10-06-2024
NPCL	01.04.2025 to 31.03.2028	00-24 Hrs.	100	5.49	03.09.2024

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CESC	01.04.2025 to 31.03.2028	00-24 Hrs.	50	No Bid	
APDCL	01.04.2025 to 31.05.2026	00-24 Hrs.	200	5.78	21-10-2024
APDCL	01.04.2026 to 31.05.2027	00-24 Hrs.	200	5.89	22-10-2024
APDCL	01.04.2027 to 31.05.2028	00-24 Hrs.	200	5.95	23-10-2024
HPPC	01.04.2025 to 31.03.2030	00-24 Hrs.	500	5.39	06-01-2025
GRIDCO	01.04.2025 to 14.04.2029	00-24 Hrs.	200	5.48- 6.083	24-01-2025

**The above rates are at CTU periphery of Seller i.e. excluding Transmission charges and losses.*

17. It may be observed that the rates discovered in the Petitioner's bid are quite competitive as compared to the rate discovered by other Distribution Companies. Further, it is pertinent to mention that above proposed thermal power will help the petitioner in meeting its peak requirement.

Record of proceedings:

18. During the hearing dated 27.03.2023, Sh. Sanket Srivastava on behalf of NPCL submitted that they have tied up 50 MW RTC power at competitive rates under bidding on DEEP portal on medium term basis. On the Commission's query regarding the untied-up capacity with DIL from its 300 MW Unit already supplying power to NPCL and TANGEDCO, NPCL informed that this medium-term power will be supplied by DIL's Unit-2, which is STU connected at the same location but was not tied up under any long term PPA and was selling power in the merchant mode i.e. to Railways, MSEDCL etc.

19. Further, regarding the query of the Commission in other similar matters of power procurements related to reason for opting CTU periphery for quoting quantum & price of power and evaluating the bidders at NPCL periphery, Sh. Sanket Srivastav reiterated its submissions as made in those cases and clarified that as per CERC





General Network Access ("GNA") Regulations, 2022, the inter-state transmission charges were to be paid by drawee DICs based on the GNA allocated to it. Further, the transmission charges payable are a fixed cost directly proportional to the GNA allocated to drawee entity. In the event the Petitioner's power scheduling requirements exceed its allocated GNA, the Petitioner shall schedule power under an additional Temporary-GNA ("T-GNA") at a rate over and above the pre-existing GNA charges. It was also buttressed by the petitioner that the quantum of power drawn from GNA or T-GNA is difficult to predict in advance.

Commission's View

20. The Petitioner has stated that it has conducted the present Medium-Term power procurement process in terms of the Medium-Term Guidelines of Ministry of Power, GOI. The Bidding Documents were published on DEEP Portal of Ministry of Power, Govt. of India followed by e-Reverse Auction in terms of the said guidelines. The Commission also notes that discovered rate of Rs. 5.41/unit at CTU periphery has been benchmarked with the rates discovered by other utilities in recent medium-term bids of other states to successfully demonstrate its cost competitiveness.
21. Regarding selecting the CTU periphery for quoting quantum price in the bid, the Commission has noted that had the Petitioner invited the bids at NPCL periphery then the Petitioner would have relied on the inter-state transmission charges and losses on the prevailing rates at the time of bid submission and would have deducted the aforesaid transmission charges and losses to bring the rate equivalent at CTU periphery for inter-state suppliers and STU periphery for intra-state suppliers for commercial settlement of energy bills and power scheduling.
22. Therefore, to avoid the complexities of apportioning the GNA charges and/or T-GNA charges to a particular supplier, the Petitioner invited the Bids at CTU Periphery rather than NPCL Periphery. However, the Commission while appreciating the difficulty faced by the Petitioner, directs the Petitioner to invite bids, in future, at STU periphery of U.P. for intra-state generators (connected to U.P. STU) and at CTU periphery of seller in case of inter-state generators and clearly specify the transmission charges & losses to be applied as per applicable Regulations of the appropriate Commission at the time of evaluation of bid. NPCL is also directed to





stipulate in the bid document that evaluation criteria shall be NPCL periphery for all generators so that intra-state generators, if any, would be able to bid competitively and the Petitioner would also get benefitted.

23. In view of the above and from perusal of the documents placed on record, the Commission adopts the discovered tariff including trading margin as per details mentioned as under:

S. No	Bidder	Quantum (MW)	Tariff at Delivery Point (Rs. /kWh)
1.	Manikaran power Limited (source: Sai Lilagar Power Generation Limited, Chhattisgarh)	25	5.41
2.	Dhariwal Infrastructure Limited, Maharashtra	25	5.41

The Commission approves the Power Purchase Agreements placed at Annexure- 13 to the Petition executed by the NPCL with Manikaran power Limited and Dhariwal Infrastructure Limited for the period from 01.04.2025 up to 31.03.2028.

(Sanjay Kumar Singh)

Member

(Arvind Kumar)

Chairman

Place: Lucknow

Dated: 02.04.2025

