

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 392/MP/2019

Subject : Petition under Section 79 (1) (a), 79 (1) (f) read with Section 79 (1) (k) of the Electricity Act, 2003 seeking directions of this Commission for pre-commissioning activities, synchronization and commissioning of Dhukwan Small Hydro Electric Project (3x8 MW) and also for the necessary directions in relation to the Tariff as provided under Article 5 of the Power Purchase Agreement dated 5.12.2016 executed between the Petitioner and the Respondent No. 1 and payment of tariff to the Petitioner in terms of Article 5 of the Power Purchase Agreement dated 5.12.2016.

Petitioner : THDC India Limited

Respondents : Uttar Pradesh Power Corporation Limited & Ors.

Date of Hearing : 19.11.2019

Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I.S. Jha, Member

Parties present : Shri Biju Mattam, Advocate, THDC
Shri Tabrez Malawat, Advocate, THDC
Shri Abhisekh Kumar, Advocate, UPPCL
Shri Aryaman Saxena, Advocate, UPPCL
Ms. Harneet Kaur, Advocate, UPPCL

Record of Proceedings

Learned counsel for the Petitioner submitted that the instant Petition has been filed *inter-alia*, seeking direction in relation to tariff as provided under Article 5 of the Power Purchase Agreement dated 5.12.2016 and direction to the Respondents to allow synchronization and commissioning of the Dhukwan Hydro Electric Project of the Petitioner.

2. Learned counsel for Respondent No.1, Uttar Pradesh Power Corporation of India Limited (UPPCL), submitted that since UPPCL has allowed the synchronization and commissioning activities of the Petitioner's Project, the prayer (b) of the Petition has become infructuous. Learned counsel further requested for time to file reply to the Petition.

3. After hearing the learned counsels for the Petitioner and the Respondent, the Commission admitted the Petition.



4. The Commission directed the Petitioner to confirm the submissions made by the learned counsel for UPPCL regarding the Petitioner's Project having already been allowed the synchronization and commissioning activities.
5. The Commission directed the Petitioner to file its reply by 28.11.2019 with advance copy to the Petitioner who may file its response thereon, on or before, 5.12.2019. The Commission directed that due date of filing of reply and rejoinder should be strictly complied with.
6. Subject to the above, the Commission reserved order in the matter.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Legal)**

