

**MADHYA PRADESH ELECTRICITY REGULATORY
COMMISSION
BHOPAL**

Sub: In the matter of permission under Section 86 (i)(e) of Electricity Act, 2003 for wheeling of energy generated and provided by WEGs to M.P.Power Trading Co. Ltd.

ORDER

(Passed on this day 15th April, 2009)

M/s Cepco Industries Pvt. Ltd. - Petitioner
82, Mahaveer Nagar,
Kanadia Road, Indore

V/s

M.P.Power Trading Co. Ltd., - Respondent - I
Shakti Bhawan, Vidyut Nagar,
Jabalpur.

M.P.Paschim Kshetra Vidyut Vitaran Co. Ltd., - Respondent - II
GPH Compund, Pologround
Indore – 452003.

Shri Ulhas Sahasrabuddhe appeared on behalf of Petitioner.

Shri D.K.Ojha, Associate Consultant appeared on behalf of Respondent No. I.

Shri S.C.Saini, SE appeared on behalf of Respondent No. II.

2. The petitioner, M/s Cepco Industries Pvt. Ltd., Indore has filed this petition in the matter of permission under Section 86(i)(e) for sale of the energy generated from his two WEGs of 225 kW rating each installed at location No. 30 and 38 in the Windfarm at Jamgodrani, Dist. Dewas to M.P.Power Trading Co. Ltd. The WEG has been in operation w.e.f. 27.03.1997.

3. The petitioner has signed two separate agreements on 18.09.1998 which commenced from 27.03.1997 and were operative for a period of 12 years from this date. These agreements were executed for sale of power to third party. Subsequently, the petitioner was permitted to sell the power generated from above WEGs to MPSEB. The period of PPA being in force has expired on 27.03.2009.

4. During the course of hearing, the petitioner proposed to allow sale of power to Respondent No. I, M.P.Power Tradeco. for the balance period of 8 years of plant life and to renew the PPA for a period of 8 years from 28.03.2009 to 27.03.2017 @ Rs. 2.87 per unit as provided in tariff order dated 21.11.2007. The petitioner has submitted that minimum 45 days time be allowed for execution of PPA.

5. The representative of Respondent No. I, has submitted in his reply that they are ready to purchase the power generated from the above two nos. WEGs as per the rates and terms and conditions specified by the Hon'ble Commission in its tariff order dated 21.11.2007. He has also submitted that as per the directives of Election Commission of India, no agreements are to be finalized during the period the Model Code of Conduct of election is in operation, therefore, they may kindly be permitted to finalise the agreement after 2nd June, 2009. The representative of Respondent No. II has submitted in his reply that they have no objection if the petitioner wishes to sell power provided by the above WEGs to Respondent No. 1.

6. The Commission heard all the parties and after considering the facts and submissions made by the parties, the Commission grants permission to the Petitioner to sell the electricity from aforesaid WEGs to the M.P.Power Trading Company w.e.f. 28.03.2009 to 27.03.2017 for WEGs at location No. 30 and 38 in the Windfarm at Jamgodrani, Dist. Dewas for the balance period for 8 years at the rate and other terms and conditions as specified in the Commission's Tariff Order dated 21.11.2007. The Commission directs the petitioner to execute PPA with the Respondent No.I accordingly.

7. This order is subject to the following conditions also :-

- a. The supply of power shall be governed by the policy of the State Government and also as per terms and conditions mentioned in the Commission's Tariff Order dated 21.11.2007 for procurement of power from WEGs.
- b. The Commission shall be entitled to impose any other conditions, as it considers appropriate from time to time including the terms of the revocation or modification of the approval.
- c. The agreement shall be finalized immediately after lifting of the Model Code of Conduct by the Election Commission of India.

Ordered accordingly,

(C.S.Sharma)
Member (Eco.)

(K.K.Garg)
Member (Engg.)

(Dr. J.L. Bose)
Chairman