

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub : In the matter of establishment of WEGs and permission for sale U/s 86(1)(e) of the Electricity Act, 2003 for sale of power so generated by 80 MW WEGs in the Village Mamatkhera Tehsil Jaora Dist. Ratlam.

Petition No. 46/2011

ORDER

(Date of hearing 14th February, 2012)

(Date of order 15th February, 2012)

M/s Uttar Urja Projects Pvt. Ltd., - Petitioner
Mahadev Towers, 39, Maharani Bagh,
Phase – 1 GMS Road,
Dehradun – 248001 Uttaranchal.

V/s

M.P.Power Trading Co. Ltd., - Respondent No. 1
Shakti Bhawan, Jabalpur.

M.P.Paschim Kshetra Vidyut Vitaran Co. Ltd., - Respondent No. 2
Pologround, Indore.

None appeared on behalf of Petitioner.

Ms Parul Dangi, Legal Executive appeared on behalf of Respondent No. 1.

Shri Pawan Jain, EE (Comm.) and Shri Anant Chaure, Law Officer appeared on behalf of Respondent No. 2.

2. Petitioner M/s Uttar Project Pvt. Ltd. had filed this petition seeking approval of the Commission for establishment of wind electric generators (WEGs) of 80 MW capacity in Village Mamatkhera Tehsil Jaora Dist. Ratlam.

3. Petitioner had filed this petition under Section 86(1)(e) of the Electricity Act, 2003. Petitioner is willing to sell the power to MP Tradeco. at the tariff rate determined by the Commission in Clause 11.2 of the tariff order dated 14.05.2010 or at any other rate, which the Commission may decide.

4. Petitioner had submitted that they have developed facility for evacuation of electricity from point of generation to the nearest 220 KV/132 KV/ 33KV at Daloda,

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Dist. Mandsour, substation of MPPTCL as per the specification of the West Discom at their own cost and they are developing the said facility for the capacity of 80 MW. The applicant company is able to transmit the electricity so generated from the point of generation to the point of nearest 220 KV/132 KV / 33 KV at the Daloda of the MPPTCL in terms of Clause 13 of the Policy 2006. Petitioner has further submitted that the aforesaid WEGs are planned to be commissioned in 2012.

5. The Petitioner had made the following prayers in the petition :

- (a) Permission may be granted for evacuation of power generated by 80 MW WEGs at Mamatkhera.
- (b) Permission may be granted for sale of power generated from 80 MW WEGs to Respondent No.1 at the rate as decided by the Commission as per tariff order dated 14.05.2010.
- (c) Respondent may kindly be directed to allow commissioning of the machine by 2012.
- (d) Respondent may kindly be directed to initiate process of execution of power purchase agreement simultaneously with the commissioning process of WEGs to avoid delay. Respondent No.1 may also be directed to make the agreement effective from the date of commissioning of the WEGs.
- (e) Respondent No.1 may also be directed to purchase the power so generated from 80 MW WEGs at the rate determined by the Commission in the tariff Order dated 14.05.2010.

6. The case was listed for hearing on 09.08.2011.

7. During the hearing the representative of Petitioner requested the Commission to allow sale of power generated from 80 MW WEGs to Respondent No.1 at the rate decided by the Commission as per tariff order dated 14.05.2010.

8. During the hearing, the representative of Respondent No.1 submitted that Petitioner has not submitted the copy of the petition alongwith necessary documents including technical details. However, Respondent No.2 submitted that they have no objection if Petitioner is intending to sell power so generated from 80 MW WEGs to

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Respondent No.1 on the terms and conditions as decided by the Commission.

9. On hearing Petitioner and Respondent, the Commission directed Respondent No.1 to send a list of documents required from the Petitioner. The Commission also directed Petitioner to submit the required documents alongwith copies of all statutory consents and details of company/project in the applicable formats as specified in MPERC (Furnishing of technical details by Generating Companies) Regulations, 2011 to Respondents.

10. The case was listed for hearing on 20.09.2011.

11. During the hearing on 20.09.2011, the representative of Respondent No.1 and 2 submitted that they have not received the requisite documents from Petitioner and upon receipt of the same, issue of signing the PPA with Petitioner would be examined. During the hearing, the representative of Petitioner submitted that they will be in a position to submit requisite documents within 45 days. He further requested to adjourn the hearing and fix the next date of hearing after 45 days. The Commission considered the request of Petitioner and the case was listed for hearing on 22.11.2011.

12. During the hearing on 22.11.2011, the representative of the Petitioner requested adjournment of the hearing to allow them to submit the requisite documents within the next 60 days. The Commission considered the request of the Petitioner and directed fixation of the next date of hearing accordingly. The case was listed for hearing on 14.02.2012.

13. During the hearing on 14.02.2012, the representative of Respondent No. 1 submitted that Petitioner has not submitted the requisite documents till date and upon receipt of the same issue of signing the PPA with Petitioner would be examined. Nobody was present on behalf of the Petitioner.

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14. On hearing the representative of Respondents and considering the submissions of the Petitioner, the Commission is of the view that sufficient time has already been allowed to the Petitioner to submit requisite documents to the Respondents. The Commission hereby accords consent for execution of power purchase agreement on completion of other required formalities/clearances. The Commission further directs Respondents No.1 and 2 to take action as per the procedure specified in Regulation 4.8 mentioned in First Amendment to MPERC (Cogeneration and Generation of Electricity from Renewable Sources of Energy) Regulations, 2010 on receipt of the requisite documents from Petitioner.

15. With the above directions, the Petition No. 46 of 2011 stands disposed of.

Ordered accordingly,

sd/-
(C.S.Sharma)
Member

sd/-
(Rakesh Sahni)
Chairman