

Sub : In the matter of the proposal of Essel Jabalpur MSW Pvt. Ltd. (EJMPL) under Section 62 and 64 of the Electricity Act, 2003 read with clause 1.24 of the MPERC(Cogeneration and Generation of Electricity from Renewable Sources of Energy) Regulations, 2010 for approval of tariff by the Commission for sale of power to Distribution Licensee in M.P. from its 11.5 MW Municipal Solid Waste (MSW) based power project located at Jabalpur

ORDER

**(Date of hearing: 15th December, 2015)
(Date of order: 5th January, 2016)**

M/s Essel Jabalpur MSW Pvt. Ltd. (EJMPL), B-10, Essel House, Industrial Area, Lawrence Road, New Delhi – 110 035	-	Petitioner
M.P. Power Management Co. Ltd., Shakti Bhawan, Rampur, Jabalpur	-	Respondent No. 1
MP Poorv Kshetra VV Co. Ltd., Shakti Bhawan, Rampur, Jabalpur	-	Respondent No.2
MP Paschim Kshetra VV Co. Ltd., GPH, Polo Ground, Indore	-	Respondent No.3
MP Madhya Kshetra VV Co. Ltd., Nishtha Parisar, Bijli Nagar, Govindpura, Bhopal	-	Respondent No.4
Jabalpur Municipal Council (JMC), Marhatal, Jabalpur	-	Respondent No.5
State Load Despatch Centre, Nayagaon, Rampur, Jabalpur	-	Respondent No.6

Shri R. Balachandran, Advisor, Shri Nimish Vora, Principal Consultant and Shri Surya Desaraju, Consultant appeared on behalf of the petitioner.

2. The petitioner, M/s Essel Jabalpur MSW Pvt. Ltd. (EJMPL), New Delhi has filed this petition seeking approval of tariff by the Commission for sale of power to Distribution Licensee in M.P. from its 11.5 MW Municipal Solid Waste (MSW) based power project located at Jabalpur. The case was listed for motion hearing on 15.12.2015.

3. During the motion hearing on 15.12.2015, the petitioner stated that the

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Commission had issued a Tariff Order for procurement of power from MSW based power generating plants in the M.P. wherein the Commission had specified the norms, terms and conditions and tariff. Owing to the actual costs involved, various norms and financial parameters considered by the Commission in the above-said tariff order have been rendered inappropriate. Further, changes in the market scenario as well as business drivers have made the tariff determined significantly inadequate and therefore requires its review. The Gujarat Electricity Regulatory Commission determined project specific norms for the petitioner's similar project at Surat. The petitioner requested the Commission to review the norms and financial parameters based on the petitioner's submission in the petition. The petitioner also requested to determine the project specific tariff for Waste to Energy project. The petitioner also quoted the clause 8.2 of the tariff order as under:

“ 8.2 A review of the tariff rate before the expiry of the control period may be undertaken by the Commission under exceptional circumstances, if the need for such review is clearly demonstrated with adequate supporting material.”

4. Having heard the petitioner and on considering its written submissions, it is noted that the Commission has already considered the issue of project specific or generalized tariff in the tariff order dated 01.10.2013 and decided to use common tariff for all the MSW based power plants using common benchmark technique. Also, the control period of the tariff order for procurement of power from Municipal Solid Waste based power generating plants in Madhya Pradesh shall expire on 31.03.2016. The Commission is shortly going to initiate tariff order for the next control period starting from 01.04.2016. Under the above circumstances, it would not be appropriate to review the existing tariff order dated 01.10.2013 at this juncture. As such, the petition is not tenable.

5. In view of the above, the petition no. 65 of 2016 is dismissed.
Ordered accordingly.

(Alok Gupta)
Member

(A.B.Bajpai)
Member

(Dr. Dev Raj Birdi)
Chairman