



DELHI ELECTRICITY REGULATORY COMMISSION

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi- 110017.

F.11(1383)/DERC/2016-17/5253

F.11(1385)/DERC/2016-17/5261

PETITION NO. 24/2016

In the matter of : Petition seeking directions in the matter of bills/invoices raised with respect to the expired Power Purchase Agreement with IPGCL

BSES Yamuna Power Ltd.

Through its: **CEO**

Shakti Kiran Building,

Karkardooma

New Delhi – 110092

....Petitioner

Vs.

Indrarpasth Power Generation Co. Ltd.

Through its Director (T)

Rajghat Power House,

Office Complex,

New Delhi 110 002

State Load Despatch Centre

Delhi Transco Limited

33KV Sub Station Building,

Minto Road,

New Delhi 110 002

...Respondent

PETITION NO.28/2016

In the matter of : Petition seeking directions in the matter of bills/invoices raised with respect to the expired Power Purchase Agreement with IPGCL

BSES Rajdhani Power Limited

Through its: **CEO**

BSES Bhawan, Nehru Place,

New Delhi-110019

....Petitioner

Vs.

Indrarpasth Power Generation Co. Ltd.

Through its Director (T)

Rajghat Power House,

Office Complex,

New Delhi 110 002

State Load Despatch Centre

Delhi Transco Limited

33KV Sub Station Building,

Minto Road,

New Delhi 110 002

...Respondent

**Coram: Sh. Krishna Saini, Chairperson
Sh. B.P. Singh, Member**

Appearance:

1. Mr. Arijit Maitra, Advocate, BRPL
2. Mr. Hasan Murtza, Advocate, BRPL
3. Mr. Ravi, BRPL
4. Mr. Kanishk, BRPL
5. Mr. Shobit, BRPL
6. Mr. Gagan Swain, BYPL
7. Mr. Sameer Singh, BYPL

INTERIM ORDER

(Date of Hearing: 09.06.2016)

(Date of Order : 27.06.2016)

1. The Counsel for the Petitioners submitted that the Power Purchase Agreements (PPA) executed with the Respondent IPGCL for purchase of power from Rajghat Power House (RPH) of the IPGCL have expired on May, 2015 and July, 2015 for BRPL and BYPL, respectively, according to clause 13.1 of the PPA which provides that the validity of the agreement was upto the completion of 25 years from the date of commercial operation of last Unit/GT/Module of the station unless it was specifically extended on mutually agreed terms. The Petitioners vide their letter dated 22.05.2015 duly communicated that there is no intention of extending the said PPA.
2. The plant has ceased to generate energy with effect from May 2015. However, despite the petitioner's letters and the fact that vide Tariff order dated 29.09.2015 the Commission has disallowed fixed charges for RPH of the IPGCL, the Respondent still continues to schedule power from RPH to the petitioners and to raise energy bills.
3. After considering the arguments of the petitioners, the Commission admitted the Petitions and directed that the Petitioners shall provide a copy of the petitions to the Respondent within a week, and thereafter, the Respondent shall file its reply within two weeks. The matter was adjourned accordingly.
4. The next date of hearing will be informed in due course.
5. Ordered accordingly.

**Sd/-
(B.P. Singh)
Member**

**Sd/-
(Krishna Saini)
Chairperson**