



## **DELHI ELECTRICITY REGULATORY COMMISSION**

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

F.11(1394)/DERC/2016-17/5288

### **Petition No. 27/2016**

- In the matter of:**
- (1) Petition for execution of PPA by the Discoms of Delhi with the petitioner;**
  - (2) Petition for determination of Generation Tariff in respect of MSWTE Project at Bawana; and**
  - (3) Petition for directions for synchronization of the power plant of the petitioner**

**And**

**In The Matter of:**

M/s. Delhi MSW Solutions Limited (DMSL)  
6-3-1089/G/10&11, Gulmohar Avenue,  
Raj Bhavan road, Somajiguda  
Hyderabad-500082, Andhra Pradesh

**Through:** Mr. IYPE George  
Sector 5, Pocket N-1,  
Behind Pragati Power Plant,  
Bawana Industrial Area, New Delhi

**....Petitioner**

**-Versus-**

1. Tata Power Delhi Distribution Ltd.  
Through its: **Managing Director**  
33Kv Sub Station Building,  
Hudson Lane,  
Delhi 110 009.
2. BSES Rajdhani Power Limited  
Through its: **CEO**  
BSES Bhawan, Nehru Place,  
New Delhi-110019.
3. BSES Yamuna Power Ltd.  
Through its: **CEO**  
Shakti Kiran Building,  
Karkardooma  
New Delhi – 110092.
4. The Secretary  
New Delhi Municipal Council  
Palika Kendra, Sansad Marg  
New Delhi 100001

5. Delhi Transco Limited  
Shakti Sadan, Kotla Road,  
New Delhi 110002
6. State Load Despatch Centre, Delhi  
Shakti Sadan, Kotla Road,  
New Delhi- 110002
7. Chief Engineer (Utilities)  
CWE, MES, Kotwali Road,  
Delhi Cantt,  
New Delhi 110011
8. Executive Engineer EMS  
North Delhi Municipal Corporation  
Office of the Executive Engineer (DEMS) I  
Room No. 31, Dr. B.R Ambedkar Stadium,  
Delhi Gate Delhi 110002

...Respondents

**Coram: Sh. B.P Singh, Member**

### **ORDER**

(Date of Order: 02.08.2017)

1. In the instant petition the Commission *vide* Order dated 11.05.2017 had directed Distribution Licensees namely BSES Rajdhani Power Limited (BRPL), BSES Yamuna Power Limited (BYPL), and New Delhi Municipal Council (NDMC) to comply with the direction of the Commission's order dated 22.02.2017 regarding signing of PPA within 15 days.
2. In Compliance to the abovementioned Order, M/s BRPL and M/s BYPL, have entered into separate PPAs with the Petitioner on 01.06.2017 and submitted the copy of the PPAs for approval of the Commission. The PPAs were examined and it is found that clauses 9.3.2 and 9.7.1 are in variance with the directions contained in the Commission's Order dated 22.02.2017.
3. The Commission approves the aforesaid PPAs dated 01.06.2017 with the directions that the clauses 9.3.2 and 9.7.1 of the PPAs shall be modified as per the

directions of the Commission in Order dated 22.02.2017 and the modified clauses shall be as under:

*"9.3 Payment of Monthly Bills*

*Clause 9.3.1*

x x x x x x x x x x x

*Clause 9.3.2 All payments made by Procurer shall be appropriated by DMSL for amounts due in the following order of priority:*

- i. Towards late payment surcharge, if any;*
- ii. Towards earlier unpaid Monthly bill, if any;*
- iii. Towards the current Monthly bill."*

x x x x x x x x x x x

*"9.7 Late Payment Surcharge*

*9.7.1 The late payment surcharge shall be applicable as per the regulations issued from time to time by the Commission."*

4. M/s BRPL and M/s BYPL are directed to submit compliance within 15 days from the date of issue of this Order.
5. It is also noticed that other Distribution Licensee namely NDMC has not reported compliance of this Commission's Order dated 22.02.2017 and 11.05.2017. NDMC is hereby directed to submit the signed copy of PPA in terms of Commission's order dated 22.02.2017 and 11.05.2017 within 7 days from receiving of this order.
6. Ordered accordingly.

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