



# Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17

No. F. 11(887)/DERC/2012-13/

## Petition No. 16/2013

**In the matter of:**      **Petition seeking approval of the Hon'ble Commission to discontinue power procurement from uneconomic, unviable and imprudent PPA's commercial arrangement and agreement with NHPC Limited in the interest of consumers of Petitioner's licensed area of supply in NCT of Delhi.**

Tata Power Delhi Distribution Ltd.  
Through its **Managing Director**  
Grid Sub Station Building  
Hudson Lines, Kingsway Camp,  
Delhi 110 009

....Petitioner

Vs.

NHPC Limited  
NHPC Office Complex  
Sector 33 Faridabad,  
Haryana 121 300

...Respondent

## Petition No. 17/2013

**In the matter of:**      **Petition seeking approval of the Hon'ble Commission to discontinue power procurement from uneconomic, unviable and imprudent PPA's commercial arrangement and agreement with THDC India Limited in the interest of consumers of Petitioner's licensed area of supply in NCT of Delhi.**

Tata Power Delhi Distribution Ltd.  
Through its **Managing Director**  
Grid Sub Station Building  
Hudson Lines, Kingsway Camp,  
Delhi 110 009

....Petitioner

Vs.

THDC India Limited  
Ganga Bhawan,  
Pragatipuram, Bypass Road,  
Rishikesh 249201

...Respondent

### **Coram:**

**Sh. P. D. Sudhakar, Chairman,**  
**Sh. J. P. Singh, Member &**  
**Sh. B. P. Singh, Member**

### **Appearance:**

1. Mr. M.G. Ramachandran, Adv. NHPC & THDC
2. Alok Shankar, Adv. TPDDL
3. Mr. Gopal Jain, Adv. TPDDL
4. Mr. Kaushik, Adv., TPDDL
5. Mr. Ajay Kapoor, CFO, TPDDL
6. Mr. Anurag Bansal, TPDDL

**ORDER**

(Date of Hearing : 19.08.2014)

(Date of Order : 27.08.2014)

1. The Instant Petitions have been filed by M/s TPDDL seeking approval of the Commission to discontinue power procurement from the PPAs, commercial arrangement and agreement made with M/s NHPC Ltd. and M/s THDC India Ltd. as the Petitioner Company has surplus power to meet its future demand.
2. During the hearing on 25.06.2013, the petitioner company viz. M/s TPDDL made a detailed presentation about future power demand and its availability and has emphasized that the petitioner may not need power from M/s NHPC Ltd. and M/s THDC India Ltd. The Commission had decided to hear the views of M/s NHPC Ltd. and M/s THDC India Ltd. also and accordingly these companies were asked to present for hearing today i.e. on 19.08.2014.
3. Mr. M.G. Ramachandran, Advocate appearing for both M/s NHPC Ltd. & M/s THDC India Ltd. submitted the plea that it is beyond the jurisdiction of the Commission to decide on the issue of surrender of power and such matter may be decided by CERC only. He further argued that till the matter is settled by CERC, the Petitioner Company i.e. TPDDL may continue to pay the fixed charges as per the extent PPA entered into.
4. On the plea of the M/s Ramachandran it was ruled that this Commission is deliberating on the limited issue of surplus power i.e. whether the Petitioner has surplus power to meet its future demand; and whether surrender of the allocated power from M/s NHPC & M/s THDC merits any recommendation from the Commission. In this light, it was decided to hear the views of M/s NHPC Ltd. M/s THDC India Ltd. on the issue before deciding on future course of action by the Commission.
5. The Commission observed that as per the presentations made by the Petitioner Company the surplus power position of the Petitioner is going to be negative in the FY 2018-19 itself and M/s TPDDL may have to procure additional power to meet the demand. The Commission further observed that with the passage of time and with the depreciation, the recovery of establishment cost though depreciation the cost of power from M/s NHPC Ltd. & M/s THDC India Ltd. may go down and therefore, economic viability of surrender of power has to be seen.
6. The Petitioner submitted that it may be allowed to submit a revised submission after examination of all the facts.

7. The Commission directed the Petitioner to discuss the issues with the officers of the Tariff Division of DERC and then to make its revised submissions within a period of 3 weeks.
8. The next date of hearing will be intimated in due course.
9. Ordered accordingly.

Sd/-  
(B. P. Singh)  
Member

Sd/-  
(J.P. Singh)  
Member

Sd/-  
(P. D. Sudhakar)  
Chairperson