



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

No. F. 11(702)/DERC/2011-12/

Petition No. 44/2011

In the matter of: Reconsideration/review/modification/withdrawal of the directions dated 20.01.2011 passed by DERC regarding procurement and sale of power by Distribution Licensee.

North Delhi Power Limited
Now Tata Power Delhi Distribution Limited (TPDDL)
Through its : **CEO**
Sub-Station Building,
Hudson Lines, Kingsway Camp,
Delhi-110009.

...Petitioner

Coram: Sh. B.P. Singh, Member

Appearance:

1. Mr. Aniket Prasoon, Adv., TPDDL
2. Mr. Abhishek Kumar, Adv., TPDDL
3. Ms. Srishti Rai, Adv., TPDDL
4. Mr. Mithun Chakraborty, TPDDL
5. Mr. Anurag Bansal, TPDDL
6. Mr. Vikas Dadu, TPDDL
7. Mr. Uttam Kumar, TPDDL
8. Mr. Sandeep Kumar, TPDDL
9. Ms. Anukriti Jain, TPDDL
10. Ms. Aditi Sanghi, TPDDL

ORDER

(Date of Hearing: 15.11.2017)

(Date of Order: 27.11.2017)

1. The instant Petition has been filed seeking reconsideration/ review/ modification/ withdrawal of the guidelines/directions dated 20.01.2011 issued by the Commission regarding procurement and sale of power by Distribution Licensee.
2. The petition was heard alongwith the similar Petition No. 43 of 2011 filed by BSES Rajdhani Power Limited (BRPL). The submissions made by the Counsel for BRPL were adopted by the Counsel for the petitioner, TPDDL, which are as follows:

- a) The present issue has been addressed by the Commission in the DERC (Terms and Conditions for Determination of Tariff) Regulations, 2017 wherein the proviso of Regulation 152 states that:

“152. True up of ARR for Distribution (Wheeling and Retail Supply) Licensee shall be conducted on the following principles:

.....
Provided that short-term arrangement of agreement, other than traded through power exchange, for procurement/sale of power has to be executed through a transparent process of open tendering and competitive bidding guidelines issued by Ministry of Power (MoP), as amended from time to time, unless specific direction issued by the Commission.

.....”

- b) That since the DERC (Terms and Conditions for Determination of Tariff) Regulations, 2017, provides that the short term procurement/sale of power should be in terms of the guidelines issued by the Ministry of Power therefore, the instant guidelines/direction dated 20.01.2011 stands superseded.
3. The Commission observes that since the impugned guidelines/direction dated 20.01.2011 stands superseded after the issuance of DERC (Terms and Conditions for Determination of Tariff) Regulations, 2017, therefore the present petition has become infructuous.
4. Accordingly, the petition is disposed of being infructuous.

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