

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

F.11 (1330)/DERC/2015-16/C.F.5104

Petition No. 94/2015

In the matter of: Petition for seeking the determination of Tariff by the Commission for sale of Power from Municipal Solid Waste to the New Delhi Municipal Council as per the Notice of award by the NDMC.

Elephant Energy Private Limited
A-1/136, Third Floor,
Safdarjung Enclave
New Delhi 110 029

.....Petitioner

VERSUS

New Delhi Municipal Council
Palika Kendra
Parliament Street,
New Delhi 110 001

....Respondent

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

Appearance:

1. Mr. Vinod Fotedar, Director, Elephant Energy Pvt. Ltd.
2. Mr. Sanjay Kumar Surya, NDMC
3. Mr. Pradeep Kumar, NDMC

INTERIM ORDER

(Date of Hearing: 04.02.2016)

(Date of Order: 10.02.2016)

1. The instant Petition filed by M/s Elephant Energy Pvt. Ltd. is for seeking determination of generic tariff for sale of power from Municipal Solid Waste (MSW) to electricity and for directions to the respondents (NDMC) to purchase such electricity generated at the promotional tariff in fulfilment of the Renewable Purchase Obligation as envisaged u/S 86(1)(e) read with other provisions of Electricity Act, 2003.
2. The Petition was admitted vide order dated 29.12.2015 and petitioner was directed to meet the officers of the Commission with the Detailed Project Report (DPR) and estimated Tariff with detailed calculation and other relevant documents.
3. It was informed by the Tariff Division that the final cost details as submitted by the petitioner are neither in terms of Indian Rupees nor completed costs, whereas for determination of tariff the final capital cost should be known in terms of Indian Rupees.

4. The Representative of the Petitioner submitted that they have to incur expenditure which has been firmed up, however, import of machinery etc. for the plant has not been made as in the absence of a duly signed PPA, since the exemption of custom duty would not be available for such import, which may result in additional cost of approximately one million US Dollar.
5. On the issue of PPA not having been signed till date, the representative of the NDMC submitted that the PPA was held up under the impression that at first the tariff would be determined by DERC. However, as of now, the things being clear, the PPA has been finalised and is under submission for legal vetting and may be signed as early as possible.
6. The Commission directed the Petitioner to submit final completed capital cost indicating date-wise cash out flow with applicable exchange rate on the date of transaction, break up of loan and equity component, rate of interest on loan etc. if any, supported with relevant documents. NDMC was also directed to expedite the signing of PPA.
7. The next date of hearing will be informed in due course.
8. Ordered accordingly.

Sd/-
(B.P. Singh)
MEMBER

Sd/-
(J.P. Singh)
MEMBER