



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 : Seeking directions regarding the 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.

Indrapasth 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 : Seeking directions regarding the 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.

Indrapasth 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. Hasan Murtza, Advocate, BRPL
2. Mr. Gagan Swain, BYPL
3. Mr. Nishant Grover, BYPL
4. Mr. Abhishek Srivastava, BYPL
5. Mr. Rajeev Chowdhury, BRPL
6. Mr. Shashi Goyal, BRPL
7. Mr. R.K. Yadav, AGM (T)
8. Mr. Rajesh Chattarwal, IPGCL
9. Mr. Amar Jyoti Badgaiyan, IPGCL

INTERIM ORDER

(Date of Hearing: 02.08.2016)

(Date of Order: 05.08.2016)

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 and the fact that the Commission has *vide* Tariff order dated 29.09.2015 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.
2. The representative of the Respondent No. 1 submitted that a similar petition is pending in the Appellate Tribunal for Electricity (APTEL) wherein the APTEL has granted stay on the Commissions order dated 29.09.2015 and therefore the proceedings in this matter cannot continue. It was further submitted that the actual Date of commercial operation (COD) of the Plant is not certain and in the original PPA signed between the parties the expiry date of the PPA was in 2017 whereas in the supplementary PPA signed between the parties the expiry of the PPA was in 2015.
3. The Counsel for the petitioner submitted that it is not clear the representative of the Respondent No. 1 is mentioning about which similar Petition pending before APTEL since the Respondent has not submitted his reply to the Petition till date and therefore, he is not in a position to controvert the submissions made by the Respondent.

4. After considering the arguments of the parties, the Commission directed the Respondent to file its reply within four weeks, with an advance copy to the Petitioners and also supplement with proof the arguments made about date of expiry of PPA. Thereafter, the Petitioners may file rejoinder, within two weeks. The matter was adjourned accordingly.
5. The next date of hearing will be informed in due course.
6. Ordered accordingly.

Sd/-
(B.P. Singh)
Member

Sd/-
(Krishna Saini)
Chairperson