

BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION
Vidyut Aayog Bhawan, Block No. 37, SDA Complex, Kasumpti, Shimla

Petition No. 19 of 2022
Instituted on 19.03.2022
Heard on 22.03.2022
Decided on 23.03.2022

In the matter of:-

The Himachal Pradesh State Electricity Board Ltd.,
Vidyut Bhawan, Shimla-171004. **Joint Petitioner No. 1**

AND

M/s Padhas Hydel Project Pvt. Ltd.,
Regd. Office at VPO & Teh. Shahpur,
Distt. Kangra-176206 (HP). **Joint Petitioner No. 2**

CORAM

DEVENDRA KUMAR SHARMA

CHAIRMAN

BHANU PRATAP SINGH

MEMBER

YASHWANT SINGH CHOGAL

MEMBER (Law)

Counsel: -

For the Joint Petitioner 1: Sh. Kamlesh Saklani, Advocate

For the Joint Petitioner 2: Sh. Balbir Singh, Authorised Signatory

ORDER

The Himachal Pradesh State Electricity Board Ltd. and Padhas Hydel Project Pvt. Ltd., having its Regd. Office at VPO & Teh. Shahpur, Distt. Kangra-176206 (HP) has filed Joint Petition for the approval of Supplementary Power Purchase Agreement, for extension of term upto 31.03.2023, to the already executed Power Purchase Agreement under REC Mechanism dated 15th May, 2017 as per Section 86(1)(b) of the Electricity Act, 2003, read with Regulations 50 and 50-A of the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2005, in respect of Brahl Top Hydro Electric Project (5.00 MW), situated in Distt. Kangra, Himachal Pradesh. As per Petitioners, in continuation of earlier Supplementary Power Purchase Agreements dated 21.6.2018, 30.9.2019, 31.8.2020 and 6.5.2021 in Petitions No. 20/2018 64/2019, 28/2020 and 18/2021 respectively, both parties have agreed to extend the terms of the PPA dated 15.5.2017 for the period upto 31.3.2023.

2. In view of the agreement between the parties to extend the terms of agreement dated 15.5.2017 upto 31.3.2023, the Commission under sub-section(1)(b) of Section 86 of the Electricity Act, 2003 grants consent for extension to the executed Power Purchase Agreement (PPA) dated 15th May, 2017 under REC Mechanism upto 31.03.2023 subject to the following conditions:-
- (i) Clause 6.2 of the executed PPA shall be substituted with the following, namely.-
- “The HPSEBL shall pay for the Net saleable Energy delivered and sold to it at the Interconnection Point by the Company under REC Mechanism at APPC rate determined by the Commission for FY 2021-22 as an interim rate.”
- (ii) This interim rate shall be subject to further adjustment with the rate as may be specified/fixed by the Commission for FY 2022-23 for sale/purchase of power under REC mechanism for small hydro power projects.
- (iii) The petitioners shall approach the Commission within 15 days of Order of the Commission referred at item (ii) of this para for applicability of tariff to the project for FY 2022-23 under REC mechanism.
3. Other terms and conditions of the Supplementary Power Purchase Agreement shall be subject to provisions of the applicable Central Electricity Regulatory Commission Regulations, procedure for registration of Renewable Energy Generation Project by Central Agency, Procedure/Guidelines for accreditation of Renewable Energy Generation Project for REC Mechanism by State Agency, HPERC (Renewable Power Purchase Obligation and its Compliance) Regulations, 2010 and Commission’s Order dated 5th May, 2017 in Petition No. 27/2017, dated 18th May, 2018 in Petition No. 20/2018, dated 29th August, 2019 in Petition No. 64/2019, dated 24th June, 2020 in Petition No. 28/ 2020 and dated 9th April, 2021 in Petition No. 18/2021.
4. The Petitioners are directed to execute the Supplementary Power Purchase Agreement under REC mechanism accordingly within a period of 30 days from the date of this order and three copies of the executed Supplementary Power Purchase Agreement be submitted to the Commission for record.

It is so ordered.

Sd/- (Yashwant Singh Chogal) Member(Law)	Sd/- (Bhanu Pratap Singh) Member	Sd/- (Devendra Kumar Sharma) Chairman
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