

Before
UTTARAKHAND ELECTRICITY REGULATORY COMMISSION
Petition No. 29 of 2024

In the matter of:

Petition under Section 86 (1)(f) and 86 (1)(k) of the Electricity Act, 2003 read with Article 8, 10, 12 and 13 of the Power Purchase Agreement dated 18.02.2021 executed between Bhilangana Hydro Power Ltd. and Uttarakhand Power Corporation Ltd. seeking appropriate direction for release of outstanding payment alongwith applicable Late Payment Surcharge towards the power supplied by BHPL to UPCL during the FY 2020-21.

In the matter of:

M/s Bhilangana Hydro Power Ltd.

... Petitioner

AND

In the matter of:

Uttarakhand Power Corporation Ltd.

... Respondent

CORAM

Shri M.L. Prasad Member (Technical) - Chairman (I/c)

Shri Anurag Sharma Member (Law)

Date of Hearing: July 18, 2024

Date of Order: July 22, 2024

Heard the Petitioner and the Respondent in the matter. Both parties made elaborate submission. However, the Commission observed that there were various discrepancies in the assertions of the parties. The Petitioner and the Respondent, till date, have not sat together to reconcile the matter amongst themselves which led to presentation of different facts by the parties during the hearing.

The Commission, accordingly, directs the Petitioner and the Respondent to jointly sit together to reconcile the discrepancies w.r.t. facts, date of invoice, date of payment, LPS/Rebate, excess generation, force majeure events etc. In case of any disagreement remaining, both parties are directed to submit the details of disputed events alongwith the respective submission/arguments in support of their claim, duly supported by the documentary evidence. The Petitioner and the Respondent are directed to conclude the aforesaid exercise within 45 days of this Order and submit the outcome for perusal of the Commission, based on which the Commission shall take a view in the matter.

Judgment reserved.

(Anurag Sharma)
Member (Law)

(M.L. Prasad)
Member (Technical) - Chairman (I/c)