Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

Petition No.: 12 of 2017

In the matter of:

Clarification Petition under Regulation 59 and 61 read with Regulation 54 of the UERC (Conduct of Business) Regulations, 2014 and Regulation 103, 104 and 105 of MYT Regulations, 2015 in the matter of Tariff Order dated 30.11.2016 passed by the Commission against Tariff Petition filed by M/s GBHPPL u/s 62 and 86(1)(a) of the Electricity Act, 2003 read with the relevant provisions of UERC (Terms & Conditions for Determination of Multi Year Tariff) Regulations, 2015 for determination of tariff for supply of power from their 70 MW Hydro Electric Power Project to UPCL.

In the matter of:

Uttarakhand Power Corporation Ltd. … Petitioner

AND

In the matter of:

M/s Greenko Budhil Hydro Power Pvt. Ltd. ... Respondent

CORAM

Shri Subhash Kumar Chairman

Date of Hearing: November 28, 2017

Date of Order: December 18, 2017

The Order relates to the Petition dated 03.10.2017 filed by Uttarakhand Power Corporation Ltd., a distribution licensee (hereinafter referred to as "UPCL" or "Licensee"), for review/clarification of the Order dated 30th November, 2016 passed by the Commission in the matter of determination of tariff for supply of power from 70 MW (2 units of 35 MW each) Hydro Electric power project (hereinafter referred to as "project") of M/s Greenko Budhil Hydro Power (P) Ltd. (hereinafter referred to as "Generator" or "M/s GBHPPL") to UPCL under Section under Section 62 and 86(1)(a) of the Electricity Act, 2003 read with the relevant

Regulations, Orders and Guidelines of the Commission. The Petitioner in the above Petition had prayed the following:

a. Take the petition on record;

b. Determination of the NAPAF be kindly reconsidered and modified as 90%.

c. Clarify regarding the applicability of incentive in case PAFM exceeds 100% under overloading conditions.

d. Reconsider the downward allowance of design energy and pass an appropriate order for fixing the design energy as per DPR.

e. Pass such other order(s) that may be deemed fit and proper in the facts and circumstances of the case.

1. Background and Petitioner's submissions

1.1. The Petitioner submitted that the Commission issued the Order dated 30.11.2016 determining the tariff for supply of power from the project of the generator. Further, the Petitioner submitted that in the aforesaid Order, the Commission has considered the NAPAF of the plant as 85% for the Control period FY 2016-17 to FY 2018-19, citing the provision as per MYT Tariff Regulations, 2015. The Regulation 47 of MYT Tariff Regulations, 2015 specifies NAPAF as follows:

Particulars	Normative Plant availability factor
Storage and Pondage type plants with head variation between Full Reservoir Level (FRL) and Minimum Draw Down Level (MDDL) of up to 8%, and where plant availability is not affected by silt.	90%
Storage and Pondage type plants with head variation between FRL and MDDL of more than 8%, where plant availability is not affected by silt.	The month wise peaking capability as provided by the project authorities in the DPR (approved by CEA or the State Government) shall form basis of fixation of NAPAF.
Pondage type plants where plant availability is significantly affected by silt.	85%
Run-of-river type plants.	To be determined plant-wise, based on 10-day design energy data, moderated by past experience where available /relevant.

1.2. The Petitioner submitted that the Commission has considered the NAPAF as 85% in the Order. The Petitioner submitted that the said plant was equipped with advanced

technologies and in its Tariff Petition, the Generator had not mentioned that the silt will have significant effect on availability of the Plant. The Petitioner also submitted that plant's operation in the past two years has reflected that plant availability factor is mostly unaffected or at-least not significantly affected by the silt. Further, the effect of silt was neither pleaded nor proved. The Petitioner further submitted that in case silt does not affect the plant significantly, the aforesaid regulation provides the treatment based on the head variation between Full Reservoir Level (FRL) and Minimum Draw Down Level (MDDL). As per the data made available by the Generator, it seems that FRL value is 1649.5 meters and MDDL value is 1638.9 meters and the variation between FRL and MDDL is less than 8% which shows that as per the provisions of the Regulations the applicable NAPAF in the matter will be 90%.

1.3. The Petitioner submitted that the Commission while determining the tariff has considered the request of the generator regarding reduction in design energy as against the approved design energy given in the DPR, while in the matter of re-determination of generic tariff of Mohammadpur Small Hydro Generating Station of UJVN Ltd. the Commission considered the design energy as per DPR. Central Electricity Authority (CEA) is the nodal agency for ascertaining the design energy and any deviation can only be considered after revision of the same by the CEA. The Petitioner further submitted that Regulation 50(6)(a) of MYT Tariff Regulations, 2015 provides that the generator has to wait for atleast four years to establish that there has been a continuous shortage and thereafter it can move to CEA with relevant hydrological data for revision of design energy of the station.

1.4. The Petitioner submitted that as per Tariff Order, 50% of the AFC is to be recovered through capacity charges and rest 50% through the energy charges. The Regulations provides for recovery of half of the AFC divided equally on monthly basis and the incentive based on a factor involving division of PAFM/NAPAF. Incentive becomes due as the PAFM value moves over the NAPAF value and considering the overload capability of the plant & pondage facility available, the declared capacity on daily basis may rise upto 110-115% of the installed capacity and in turn result in values higher than the installed capacity and consequently, PAFM over 100% resulting into large incentives. The Petitioner submitted that the issue is more relevant in light that the generator may not

only receive incentive on capacity charges based on higher PAFM but may receive the 90 paisa/unit incentive on the energy generated over and above the saleable energy.

1.5. The Petitioner submitted that in the Tariff Order, the Commission has considered the claim of generator regarding lowering of design energy as compared to the value given in the DPR. The request of the generator was based upon the contention that design energy mentioned in DPR was calculated considering the overload capacity of the plant and the regulation provides for calculation based on 95% value of installed capacity in 90% dependable year. The Petitioner further submitted that at one end generator has requested for reduction in design energy and consequently high tariff and on the other hand the generator may manage to take advantage of pondage facility in declaring capacities equal to or higher than the installed capacity.

1.6. The Petitioner submitted that the aforesaid facts have not been considered in the Tariff Order dated 30.11.2016 and the Commission may take into consideration the said facts and reconsider the said Order. Further, the Commission may also exercise its power of review and inherent power in the matter as the facts mentioned above also qualifies as an error apparent on record and the circumstances also justify the reasons to review the said Order.

1.7. The Petition was forwarded to the Respondent on 31.10.2017 for submission of its comments. In response, the Respondent vide its letter dated 28.11.2017 submitted its comments. Hearing was also held in the matter on 28.11.2017. The Commission vide its daily order dated 28.11.2017 asked the Petitioner to submit its reply on the comments submitted by the Respondent and the same were received on 05.12.2017.

1.8. The Commission has considered the replies/information submitted by the Petitioner as well as contentions raised by the Respondent and the same has been discussed at appropriate places in the Order alongwith the Commission's views on the same.

2. Commission's Views & Decisions

2.1. The Petitioner has filed the Petition under Regulation 54 (Review of the decisions, direction and orders), Regulation 59 (Inherent power of the Commission) and Regulation 61 (Power to remove difficulties) of UERC (Conduct of Business) Regulations, 2014. In this regard, it would be relevant to test the maintainability of the Petition under these

Regulations.

2.2. Regulation 54 of UERC (Conduct of Business) Regulations, 2014 specifies as follows:

"54. Review of the decisions, directions and orders

(1) The Commission may on its own or on the application of any of the persons or parties concerned, within 60 days of the making of any decision, direction or Order, review such decisions, directions or Orders and pass such appropriate orders as the Commission thinks fit.

(2) An application for such review shall be filed in the same manner as a Petition under Chapter II of these regulations..."

2.3. Thus, the above reading of the Regulation 54 makes it clear that an application for review has to be filed within 60 days of making of the Order. The Order was issued by the Commission on 30.11.2016 and, accordingly, if any review Petition was to be filed the same should have been filed by 31.01.2017. With regard to delay in filing the current Petition, the Petitioner vide letter dated 05.12.2017 submitted that if the ground of review are satisfied, the Commission can condone the delay. It has further stated that in the current case, analyzing the Order and discussion in the matter took time and, accordingly, the Petitioner has requested the Commission to condone the delay.

It is to be noted that the Generator and the licensee kept approaching the Commission in the matter of Declared Capacity and Single Part Tariff after the issuance of the Order. Further, issues raised by the Petitioner could be observed in the first reading of the Order which does not justify the time taken by the Petitioner for filing the current Petition. Also, the Petitioner, instead of submitting proper justification for the delay, has submitted general statement.

2.4. The powers vested in the Commission to review its Orders are stipulated in Section 94(1)(f) of the Act which specifically empowers the Commission to undertake review, which can be exercised in the same manner as a Civil Court exercises such powers under section 114 and Order XLVII of the Code of Civil Procedure, 1908 (CPC). The powers available to the Commission in this connection have been defined in Section 114 and Order 47 of the CPC. Under the said provisions, review of the Order is permitted on three specific grounds only, namely:

a. Discovery of new and important matter or evidence, which after the exercise of due diligence was not within the applicant's knowledge or could not be produced by him

at the time of passing of the Order.

b. Mistake or error apparent on the face of the record; or

c. Any other sufficient reasons.

The application for review has to be considered with great caution to necessarily fulfil one of the above requirements to be maintainable under law. On the discovery of new evidence, the application should conclusively demonstrate that (1) such evidence was available and is of undoubted character; (2) that it was so material that its absence might cause miscarriage of justice; (3) that it could not be even with reasonable care and diligence brought forward at the time of proceedings/passing of Order. It is well settled that new evidence discovered, if any, must be one, relevant, and second, of such character that had it been given during earlier proceedings, it might possibly have altered the Judgment.

It is a well-settled law that a review of the Orders of the Court/Commission should be used sparingly after examining the facts placed before the Court. An erroneous view or erroneous Judgment is not a ground for review, but if the Judgment or order completely ignores a positive rule of law and the error is so patent that it admits of no doubt or dispute, such an error must be corrected in the review. A review is by no means an appeal in disguise whereby an erroneous decision is re-heard and corrected, but lies only for a patent error. A review can only lie if one of the grounds listed above is made out.

Further, as already submitted above, the Petition is time barred for review. Therefore, the Commission is not allowing the delay in filing the review Petition. Accordingly, the Petition is not maintainable as per Regulations.

Moreover, the Petitioner has raised the issues relating to review of Normative Plant Availability Factor (NAPAF), Change in Design energy of the Plant and Excessive Incentive available to the Respondent. The essentials of a review Petition to be admitted are discovery of new and important matter or evidence or mistake or error apparent on the face of the record. The Commission on examination of the issues raised by the Petitioner has found that none of the issues raised by the Petitioner qualifies to be covered under the grounds of review, i.e. discovery of new and important matter or evidence or

mistake or error apparent on the face of the record. In the ensuing paragraphs the Commission has examined the issues raised by the Petitioner in detail.

2.5. Further, Regulation 59 of the UERC (Conduct of Business) Regulations, 2014 deals with the inherent powers of the Commission which is reproduced hereunder:

"59. **Inherent power of the Commission**

(1) Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary for ends of justice or to prevent the abuse of the process of the Commission.

(2) Nothing in these Regulations shall bar the Commission from adopting in conformity with the provisions of the Central Act or State Act, a procedure, which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing deems it necessary or expedient for dealing with such a matter or class of matters.

(3) Nothing in these Regulations shall, expressly or impliedly bar the Commission to deal with any matter or exercise any power under the Central Act or State Act, for which no Regulations have been framed, and the Commission may deal with such matters or exercise such powers and functions in a manner it thinks fit."

In this regard, Hon'ble Supreme Court vide its Judgment dated October 25, 2017 in Civil Appeal No. 6399 of 2016 has deliberated on the inherent powers of the Commission. Relevant extracts of the Judgment is reproduced hereunder:

"…However, the Commission is enjoined with powers to issue appropriate orders in the interest of justice and for preventing abuse of process of the Commission, to the extent not otherwise provided for under the Act or Rules. In other words, the inherent power of the Commission is available to it for exercise only in those areas where the Act or Rules are silent.

33. Under Regulation 81, the Commission is competent to adopt a procedure which is at variance with any of the other provisions of the Regulations in case the Commission

is of the view that such an exercise is warranted in view of the special circumstances and such special circumstances are to be recorded in writing. However, it is specifically provided under Section 181 that there cannot be a Regulation which is not in conformity with the provisions of the Act or Rules.

34. Under Regulation 82, the Commission has powers to deal with any matter or exercise any

power under the Act for which no Regulations are framed meaning thereby where something is expressly provided in the Act, the Commission has to deal with it only in accordance with the manner prescribed in the Act. The only leeway available to the Commission is only when the Regulations on proceedings are silent on a specific issue. In other words, in case a specific subject or exercise of power by the Commission on a specific issue is otherwise provided under the Act or Rules, the same has to be exercised by the Commission only taking recourse to that power and in no other manner. To illustrate further, there cannot be any exercise of the inherent power for dealing with any matter which is otherwise specifically provided under the Act."

Hence, as per the Judgment of Hon'ble Supreme Court, if something is expressly provided in the Act or Rules or Regulations, the Commission has to deal with it only in accordance with the manner prescribed in the Act or Rules or Regulations. However, while dealing in any matter or exercising any power under the Act, the inherent powers can only be used in matters for which no Regulations are framed or the Regulations on proceedings are silent on a specific issue. In case a specific subject or exercise of power by the Commission on a specific issue is otherwise provided under the Act or Rules, the same has to be exercised by the Commission only taking recourse to that power and in no other manner. Thus, the issues raised by the Petitioner have been decided by the Commission in its Order dated 30.11.2016 in accordance with the MYT Regulations in vogue and hence, the question of exercising the inherent powers by the Commission does not exercise in the current proceedings.

2.6. Similarly power to remove difficulties available with the Commission is basically an administrative power and not a legislative power which the Commission may by general or special order do or undertake things which the Commission finds necessary for the purpose of removing the difficulty. It is only to give effect to the provisions of the regulations that this power is exercised. In this regard, Hon'ble Appellate Tribunal of Electricity in its Judgment dated May 06, 2011 in Appeal No. 170 of 2010 has held as under:

"65. Thus, to summarize our reasoning, power to remove difficulties is a power given to the executive in order that the provisions of the Act may be given effect to. The Executive may exercise such power by executive order or in some cases they exercise legislative function to bring about minor adjustments so that implementation of the Act may be smoothened. Here in regulation 57 it

is an express language that the Commission may by general or special order itself do or undertake or direct a generating company to do or undertake things for the purpose of removing the difficulties. This provision in the context of an express provision in regulate in 58 giving the Commission power to amend is not attracted here."

Although the Petitioner has not invoked express provision in Regulation 60 providing for general powers to amend. However, what the Petitioner in the instant Petition has sought is the amendment of the MYT Regulations only for the Respondent company which is apparently discriminatory and cannot be done by the Commission in exercise of its power to remove difficulties.

2.7. The Petitioner in its Petition has raised the following issues which are discussed by the Commission in the succeeding Paras:

(a) Review of Normative Plant Availability Factor (NAPAF),

(b) Change in Design energy of the Plant and

(c) Excessive Incentive available to the Respondent.

2.7.1. As mentioned earlier, the Petitioner had contended that the Commission had considered NAPAF 85% based on the fact that the plant was significantly affected by silt whereas the Generator in the Tariff Petition did not mention that the plant's availability was affected by silt. The Petitioner further submitted that the variation between FRL and MDDL is less than 8% which shows that the NAPAF should have been considered as 90% in the Order. The Petitioner also submitted that the project was equipped with advanced technologies and the performance of the project in past two years has reflected that the availability is almost unaffected or not significantly affected by silt.

In this regard, the Generator submitted that the Budhil plant has incurred generation losses due to the heavy siltation problems during the months of March, 2016, July, 2016, February, 2017 and September, 2017 leading to stoppage of generation. The generator submitted the photographs to corroborate its claims. Further, the generator submitted that there is a standard operating procedure regarding operation of the hydro plant for regular de-flushing of the plant and its reservoir which leads to loss of generation as water required to flush the silt

deposited in the de-silting chamber and reservoir is not utilised for power generation and is flushed through the side gates which leads to reduction in generation of the plant. The generator also submitted that that the project generates power using water from the tributary of Ravi river and the Central Commission has considered NAPAF of 85% for Chamera III HEP which is also located at the same tributary of Ravi River.

Subsequently, the Petitioner vide letter dated 05.12.2017 submitted that the Generator had never prayed for any relief in NAPAF based on silt or for any other reason neither it provided any evidence in this regard.

It is to be noted that the Petitioner was well aware from the date of issuance of the Order of the fact that the Commission has allowed NAPAF at 85% in accordance with the Regulations considering that the generator's plant is affected by silt. Central Commission vide its Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 has also specified the NAPAF @ 85% for Chamera-III HEP which is also situated at the same tributary of Ravi River. The Petitioner is also procuring energy from the said central sector hydro plant and has not ever raised objection regarding NAPAF before the Central Commission.

Moreover, any norms have to be based on past historical data. The Greenko Budhil HEP commenced supply to UPCL from December, 2015. Since both SLDC and the generator expressed their inability to verify the declared capacity prior to November, 2016, hence, it was agreed between UPCL and the generator that recovery of AFC for FY 2016-17 may be carried by way of single part tariff till November, 2016 due to non-availability of declared capacity till November, 2016 and subsequently by two part tariffs in accordance with the Regulations. The same was also recorded in the Minutes of Meeting issued by the Commission on July 27, 2017. Hence, the data regarding Plant availability is available from December, 2016 onwards which is insufficient to work out the normative plant availability factor of the project. The Commission will take a view on the same when a good sample size of actual data related to plant availability is available before the Commission. Hence, till such time the Commission finds no reason to deviate from the NAPAF fixed for the project based on the NAPAF fixed by CERC for Chamera-III HEP. Thus, the Commission does not find any merit for reconsidering the Normative Plant Availability Factor.

2.7.2. With regard to the issue pertaining to the change in design energy, the Petitioner submitted that the Commission while determining the tariff has considered the request of the generator regarding reduction in design energy as against the approved design energy given in the DPR, while in the matter of re-determination of generic tariff of Mohammadpur Small Hydro Generating Station of UJVN Ltd. the Commission considered the design energy as per DPR. The Petitioner also submitted that the Central Electricity Authority (CEA) is the nodal agency for ascertaining the design energy and any deviation can only be considered after revision of the same by the CEA. The Petitioner further submitted that Regulation 50(6)(a) of MYT Tariff Regulations, 2015 provides that the generator has to wait for atleast four years to establish that there has been a continuous shortage and thereafter it can move to CEA with relevant hydrological data for revision of design energy of the station.

In this regard, the Respondent has submitted that the issue does not pertain to hydrology of the generator's plant but only to the error in the computation methodology of design energy in the DPR. The Generator had highlighted the error in computation of the Design energy which the Commission had considered in the Order after verification of notifications issued by Govt. Of H.P. regarding mandated release of minimum water flow to the downstream of the diversion structure. In reply to the comments of Generator, the Petitioner submitted that the second proviso of clause 50(6)(a) of MYT Tariff Regulations, 2015 is applicable as an opportunity for generating station to approach CEA in case design energy could not be achieved. The Petitioner also submitted that the generator did not plead for any change in hydrology and hence the design energy as per DPR should be considered for determination of tariff. CEA is the nodal agency for determination of the design energy for the hydro plant and the contention of respondent that some error has been occurred during computation by CWA is not acceptable and even if such error has occurred the same shall mandatorily be referred to CEA for correction as CEA is the only authority for determination, modification or any correction in the design energy of hydro plants. Moreover, there will be no relevance of DPR, if the design energy mentioned therein is modified based on which UPCL had considered to sign the PPA.

As far as the contention of the Petitioner that the generator should have

approached CEA in case of dissatisfaction with design energy determined by it and the second proviso of MYT Tariff Regulations, 2015 provides an opportunity to the generator to approach CEA, in this regard it would be relevant to reproduce Regulation 50(6)(a) of MYT Tariff Regulations, 2015 which specifies as follows:

"…Provided that in case actual generation from a hydro generating station is less than the design energy for a continuous period of 4 years on account of hydrology factor, the generating station shall approach CEA with relevant hydrology data for revision of design energy of the station."

Here, it is pertinent to mention that the Petitioner has misinterpreted the aforesaid regulation. The Regulations provide for revision of design energy on account of hydrology factors and directs the generator to approach CEA with relevant hydrology data for revision of design energy of the station in case actual generation from such plant is less than the design energy for consecutive four years.

The Petitioner referred to the Commission's Order dated 25.05.2017 in the matter of redetermination of generic tariff for Mohammadpur SHP stating that the Commission had considered design energy as per DPR only. In this regard, the Petitioner is comparing two different sets of Regulations applicable to small hydro plants vis-à-vis large hydro plants and the principle specified in one Regulations cannot be equated in the other Regulations.

In this regard, Regulation 3(25) of MYT Regulations, 2015 defines design energy as under:

"(25) "Design Energy" means the quantum of energy which can be generated in a 90% dependable year with 95% installed capacity of the hydro generating station;"

The DPR of the project stipulated the design energy of the Budhil HEP as 313.33 MUs, however, the generator had claimed the design energy as 280 MUs. The Commission asked the generator the basis of claiming design energy in deviation to the DPR. The generator submitted that the design energy of 313.33 MUs in the DPR was based on the energy generation in 90% dependable year, with 70 MW installed capacity, at 15% overload, accordingly, it had applied three corrections on the same as follows:

(i) 95% of installed capacity i.e. 66.50 MW has been considered in place of 70 MW;

(ii) No overload has been considered; and

(iii) Statutory minimum environment discharge of 0.91 Cumecs has been reduced from design discharge.

The Commission in its Order dated 30.11.2016 in this regard had held as under:

"In accordance with the above provision of the Regulations, corrections in computation of design energy made by the Petitioner is appropriate since design energy has to be based on 95% of the installed energy and without any overloading of the machines. Further, the Commission has also noted that subsequent to the preparation of the DPR in February, 2005, Government of Himachal Pradesh vide its notification dated 16.07.2005 mandated for Hydro Power Projects to release and maintain minimum flow to downstream of the diversion structure at 10% of the minimum inflows observed in the lean season. Thereafter, vide notification dated 09.09.2005, the Department of Pollution Control, Government of Himachal Pradesh increased the "Statutory Minimum Environment Flow" to 15%. The Commission observed that the Petitioner has reduced the available discharge during the monsoon period also. However, the same is incorrect since during the monsoon period discharge of water need not be required to be released from the Petitioner's HEP as there would be sufficient influx remain available during this period. Considering the above submissions of the Petitioner and applying the corrections as discussed above the Commission has computed design energy of HEP as 283.54 MUs against 280 MUs considered by the Petitioner."

Thus, as is evident from the above the design energy was revised by the Commission as design energy was to be based on 95% of the installed capacity and without any overloading of the machines and also keeping in view the notifications issued by the Department of Pollution Control, Government of Himachal Pradesh mandating the Hydro Power Projects to release and maintain the "Statutory Minimum Environment Flow" to downstream of the diversion structure at 15% of the minimum inflows observed in the lean season. Therefore, the Commission considered the same hydrology as was envisaged in the DPR and hence there was no case for the Respondent/generator to approach CEA as contended by the Petitioner.

2.7.3. The Petitioner contended that considering the overload capability of the plant and the

pondage facility available, the declared capacity on daily basis may rise upto 110%-115% of the installed capacity resulting into higher incentives on account of PAFM over 100% and may also receive additional incentive on account of generation of secondary energy and, accordingly, requested the Commission to take corrective measures so that the generator may not gain exceptionally higher incentives.

In this regard, the Respondent submitted that it has been following the procedure and tariff norms as provided in the tariff order dated 30.11.2016 in terms of raising tariff invoices which are in alignment with the terms and conditions specified in UERC MYT Tariff Regulations.

It is to be noted that the incentive on account of Plant Availability and secondary energy is provided in the Regulations which uniformly applies to all the generators in the State and the Regulations cannot be project specific. Moreover, all the generating projects are conceived with some overloading and hence, the Budhil HEP is not an isolated case having 10% overload capacity. Further, the State Commissions are guided by the regulations framed by the Central Commission which also provide identical provisions in its Regulations w.r.t. the above incentives. Moreover, these regulations are generic in nature applicable to all generators including IPPs, Central/State owned generators from where UPCL procures its requirement of power. Hence, the issue raised by the Petitioner relates to the provisions of the Regulations which cannot be amended for one generator.

2.8. Accordingly, in view of the above discussion, the Commission disposes of the Petition filed by UPCL as rejected.

2.9. Ordered accordingly.

(Subhash Kumar)
Chairman