

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION**  
**SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH**

**Petition No. 05 of 2024**  
**Alongwith IA No. 01 of 2024**  
**Date of Hearing: 06.03.2024**  
**Date of Order: 07.03.2024**

Petition under Section 86 (1)(b) and 86 (1) (f) of the Electricity Act, 2003 read with Article 12 of the Power Purchase Agreement (PPAs) dated 05.01.2001 and as amended on 16.03.2004 executed between Punjab State Power Corporation Ltd. (PSPCL) and M/s Punjab Hydro Power Private Limited (PHPPL) seeking appropriate direction for execution of a supplementary PPA; AND/OR issuance of appropriate directions for allowing intra-state and Inter-state open access to M/s Punjab Hydro Power Private Limited for sale and supply of power within or outside the State of Punjab.

AND

In the Matter of : M/s Punjab Hydro Power Private Limited (PHPPL), Through its Authorized signatory having its registered office at B-37, IIIrd Floor, Sector-1, Noida, Gautam Buddha Nagar-201301 Uttar Pradesh.

.....Petitioner

1. Punjab State Power Corporation Limited Through its Chief Engineer, NRSE & Thermal Design Shakti Vihar, SE/Electrical, T-4, Thermal Design Complex, PSPCL, Patiala-147001, Punjab.
2. Punjab Energy Development Agency, Through its Director, Plot No. 1-2, Sector 33-D, Chandigarh (U.T.)-160034.
3. Punjab State Load Dispatch Centre, Through its Superintending Engineer/Open Access, SLDC Building, 220 kV Sub Station Ablowal, Patiala-147004, Punjab.

....Respondents

Commission: Sh. Viswajeet Khanna, Chairperson  
 Sh. Paramjeet Singh, Member

Hydro Power: Sh. Nishant Kumar, Advocate  
 Sh. Pramod Kumar Arora

PSPCL: Ms. Poorva Saigal, Advocate (through VC)  
 Ms. Harmohan Kaur, CE,ARR&TR  
 Sh. Ajay Bansal, DY/CE/TR-2

PEDA: Sh. ADS Jattana, Advocate  
 Sh. Kulbir Singh, JD

SLDC: Sh. Rajan Sharma, Sr.Xen/Open Access

**ORDER**

The Petition was fixed for hearing on admission on 20.03.2024. However, the petitioner filed an IA for early hearing of the petition and considering the request of the Petitioner, petition was fixed for hearing on admission for today i.e. 06.03.2024. The IA No. 01 of 2024 filed by the petitioner stands disposed of accordingly.

The Ld. Counsel for the petitioner submitted that the petitioner entered into the PPAs dated 05.01.2001 with PSPCL for supply of Power from the Mini Hydel Projects on a tariff of Rs. 3.658/kWh for a period of 20 Years further extendable for 10 Years with mutual consent. The term of the PPAs expired in Jan/Feb 2023 and based on mutual discussions, as an interim arrangement, the petitioner is supplying power to PSPCL at the existing tariff. The petitioner has been raising invoices on regular basis for the supply of power which have been paid upto 30.11.2023 however, PSPCL has not paid the bills for the power supplied during the month of December 2023 and thereafter and has intimated vide letter dated 01.02.2024 that the interim arrangement for supply of power upto 31.03.2024 is subject to approval by the Commission. Non-payment of bills by PSPCL would cause irreparable loss to the petitioner. The Ld. Counsel appearing for PSPCL has not denied the submissions made by the Petitioner.

After hearing the Ld. Counsel for the parties, petition is admitted. The respondents may file reply to the petition within two weeks with a copy to the Petitioner (through hard copy & soft copy). The Petitioner may file rejoinder, thereto, if any, within one week thereafter with a copy to the respondents (through hard & soft copy). Keeping in view the facts of the present case, PSPCL shall continue to pay the bills to the petitioner for the electricity supplied from its mini hydel power projects at the existing tariff as per their mutual consent pending the final decision in this petition.

The petition shall be taken up for hearing on 08.05.2024 at 11.30 AM.

Sd/-  
(Paramjeet Singh)  
Member

Sd/-  
(Viswajeet Khanna)  
Chairperson

Chandigarh  
Dated: **07.03.2024**