



Petition No. 1380 of 2018
BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

Date of Order: 20.02.2023

PRESENT:

Hon'ble Shri Raj Pratap Singh, Chairman
Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

IN THE MATTER OF: Petition under Section 86(1)(b) and 86 (1)(f) of the Indian Electricity Act, 2003 seeking extension of time for setting up of 5 MW Solar PV Power Project under the power purchase agreement dated 02.12.2015 as amended on 19.05.2018 entered into between M/s Pinnacle Renewable Energy Private Limited and U.P. Power Corporation Limited.

Pinnacle Renewable Energy Pvt. Ltd. (PREPL),
T-15, 2nd Floor, Green Park, New Delhi – 110016

..... Petitioner

Versus

- 1. U.P. Power Corporation Ltd. (UPPCL),**
(Through its Managing Director),
7th Floor, Shakti Bhawan Extn., 14-Ashok Marg,
Lucknow-226001
- 2. U.P. New & Renewable Energy Development Agency (UPNEDA),**
(Through its Director),
Vibhuti Khand, Gomti Nagar, Lucknow-226010
- 3. U.P. Power Transmission Corporation Ltd. (UPPTCL),**
(Through its Managing Director),
Shakti Bhawan, 14-Ashok Marg, Lucknow-226001

..... Respondent(s)

The following were present:

1. Sh. Raghvendra Singh, Sr. Advocate, UPPCL
2. Md. Altaf Mansoor, Advocate, UPPCL
3. Sh. Mahendra Singh, S.E, UPPCL
4. Sh. Punit Chandra, Advocate, UPPTCL
5. Sh. Ruchir Ranjan Rai, Advocate, PREPL



ORDER
(Date of Hearing 14.02.2023)

1. The Commission vide its Order dated 27.01.2023 allowed the Petitioner to amend the Petition considering the request of Petitioner of approaching UPPTCL for connectivity to 220 kV S/s. The Commission listed the matter for the next hearing on 14.02.2023 for admitting the amended Petition. The Petitioner filed its amended Petition on 13.02.2023.

The matter came up for hearing today.

2. During the Proceedings, Sh. Ruchir Ranjan Rai, Advocate of PREPL submitted that they have filed the amended Petition on 13.02.2023. Sh. Raghvendra Singh, Sr. Advocate of UPPCL submitted that the Petitioner should have filed application for amending the Petition citing reasons for amendment before filing the amended Petition.
3. Sh. Rai submitted that yesterday (i.e., 13.02.2023), UPPTCL has signed afresh connectivity agreement for the Petitioner's project.
4. The Commission observed that the amended Petition is for not levying liquidated damages, the issue which has already been adjudicated by the Hon'ble APTEL. Sh. Rai submitted that they are not pressing the instant amended Petition and requested the Commission to allow them to move a afresh application for amending the instant Petition within two weeks' time.
5. After hearing the parties, the Commission allowed the Petitioner's request and directed them to file an amended Petition along with application for amendment with a copy to the Respondents.

The next date shall be intimated after receipt of above documents.

(Vinod Kumar Srivastava)
Member

(Raj Pratap Singh)
Chairman

Place: Lucknow
Dated: 20.02.2023