

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

**Case No. HERC/PRO-31 of 2018
HERC/PRO-32 of 2018
HERC/PRO-12 of 2019**

**Date of Hearing : 27.11.2019
Date of Order : 05.12.2019**

In the Matters of

Petition under Section 62 and 64 read with Section 86(1)(a), and other applicable provisions of the Electricity Act, 2003 and read with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for determination of tariff for supply of power from the aggregate capacity of 106.70 MW (97 MW plus 10% overload capacity) Tashiding Hydro Electric Project of the Petitioner to the Distribution Licensees of Haryana Petitioners **(Case no. HERC/PRO-31 of 2018).**

Petition under Section 62 and 64 read with Section 86(1)(a), and other applicable provisions of the Electricity Act, 2003 and read with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for determination of tariff for supply of power from the aggregate capacity of 105.6 MW (96 MW plus 10% overload capacity) Jorethang Loop Hydro-Electric Project of the Petitioner to the Distribution Licensees of Haryana **(Case no. HERC/PRO-32 of 2018).**

Petition under Part VII Section 61, Section 62, Section 64 (5) and part X Section 86 (1) (b) of the Electricity Act, 2003, read with the Haryana Electricity Regulatory Commission Regulations and Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for the Determination of Tariff for Power supply from 36 MW (3x12 MW) Chanju-I Hydro Electric Project located on the Chanju Nallah in the Chamba district of Himachal Pradesh **(Case no. HERC/PRO-12 of 2019)**

Petitioners

M/s. Shiga Energy Pvt. Ltd **(Case no HERC/PRO-31 of 2018)**

M/s. DANS Energy Pvt. Ltd. **(Case no HERC/PRO-32 of 2018)**

M/s. IA Hydro Energy Pvt. Ltd. **(Case no. HERC/PRO-12 of 2019)**

Respondent

Haryana Power Purchase Centre, Panchkula

Present on behalf of Petitioners

1. Shri Amal Nair, Advocate, M/s. Shiga Energy Pvt. Ltd and M/s. DANS Energy Pvt. Ltd.
2. Shri Bimal Aggarwal, President Finance & CS, M/s. Shiga Energy Pvt. Ltd and M/s. DANS Energy Pvt. Ltd.
3. Shri Vijay Kumar, AGM, M/s. Shiga Energy Pvt. Ltd and M/s. DANS Energy Pvt. Ltd.
4. Shri. S.K. Goyal, CEO, M/s IA Hydro Energy Pvt. Ltd. Raipur (CG)
5. Shri Sanjay Sharma, AGM, M/s IA Hydro Energy Pvt. Ltd.

Present On behalf of Respondent:

1. Shri Samir Malik, Advocate, HPPC
2. Shri Tarsem Kumar, HPPC
3. Shri Rajiv Mishra, Xen, HPPC
4. Shri Rohit Kumar, AE/HPPC

Quorum

**Sh. Pravindra Singh Chauhan
Shri Naresh Sardana**

**Member
Member**

INTERIM ORDER

1. The cases were heard by the Commission on 27.11.2019, as scheduled.
2. HPPC submitted that no PPA has been signed, till date, between the parties and further argued that an appeal in the similar matter has been filed in the Hon'ble Appellate Tribunal for Electricity against the Order of the Commission in petition no. HERC/RA-7 of 2019 and the same is pending adjudication. Therefore, HPPC sought adjournment of proceedings till the disposal of the said appeal.
3. The Commission observes that in a similar case vide order dated 22.10.2019 (in Case no HERC/PRO-41 of 2018 and HERC/PRO-24 of 2017) in the matter of determination of tariff for the project Chuzachen of M/s Gati Infrastructure Pvt Ltd, it was decided as below:

“6. The Commission, however, is of the considered view that since the exit clause, forming part of the initialed PPA submitted by HPPC, is under adjudication of the Hon'ble Appellate Tribunal for Electricity, it would be appropriate to await the resolution of the matter as without any PPA in place, determination of tariff is premature. Accordingly, the matter is adjourned sine die.”

4. The Commission is of the considered view that these matter are of similar nature and therefore, it would be appropriate to await the resolution of the matter in the Hon'ble Appellate Tribunal. Accordingly, the matter is adjourned sine die.
5. HPPC is directed to bring the matter to attention of this Commission as and when any judgement is pronounced by the Hon'ble Appellate Tribunal in the matter.

This Order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 5th December, 2019.

Date: 05.12.2019

(Naresh Sardana)

(Pravindra Singh)

Place: Panchkula

Member

Member