

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

**Case No. HERC/PRO-29 of 2019**

**Date of Hearing : 10.12.2019  
Date of Order : 11.12.2019**

**In the Matter of**

**Petition under Section 62 of the Electricity Act, 2003 for approval of tariff under Power Purchase Agreement dated 10.03.2014 read with Haryana Electricity Regulatory Commission (Terms and Conditions for determination of Tariff from Renewable Energy Sources, Renewable Purchase Obligation and Renewable Energy Certificate) Regulations, 2017 and Tariff determination for supply of power by Naraingarh Sugar Mills Ltd. during-off crushing season from 25 MW co-generation power projects at village- Banodi, Tehsil- Naraingarh, District- Ambala, Haryana.**

<b>Petitioner</b>	M/s. Naraingarh Sugar Mill Ltd.						
	<b>V/s</b>						
<b>Respondent</b>	Haryana Power Purchase Centre, Panchkula (HPPC)						
<b>Present On behalf of the Petitioner</b>	Sh. Varun Pathak, Advocate						
<b>Present On behalf of the Respondent</b>	Smt. Sonia Madan, Advocate for HPPC Shri Vikas Kadiyan, XEN/HPPC Shri Randhir Singh, AEE/HPPC Shri Vishal, STM, HAREDA						
<b>Quorum</b>	<table><tbody><tr><td><b>Shri D.S. Dhesi,</b></td><td><b>Chairman</b></td></tr><tr><td><b>Shri Pravindra Singh Chauhan,</b></td><td><b>Member</b></td></tr><tr><td><b>Shri Naresh Sardana,</b></td><td><b>Member</b></td></tr></tbody></table>	<b>Shri D.S. Dhesi,</b>	<b>Chairman</b>	<b>Shri Pravindra Singh Chauhan,</b>	<b>Member</b>	<b>Shri Naresh Sardana,</b>	<b>Member</b>
<b>Shri D.S. Dhesi,</b>	<b>Chairman</b>						
<b>Shri Pravindra Singh Chauhan,</b>	<b>Member</b>						
<b>Shri Naresh Sardana,</b>	<b>Member</b>						

**INTERIM ORDER**

1. The case was heard by the Commission on 10.12.2019, as scheduled.
2. The Ld. Advocate, Shri Varun Pathak appearing on behalf of the Petitioner and Ld. Advocate, Smt. Sonia Madan appearing on behalf of the Respondent, argued vehemently on the question of admissibility of the Petition for determination of tariff, pending decision on the appeal by HPPC before Hon'ble Appellate Tribunal for Electricity against the Order of the Commission dated 10.01.2019.
3. On hearing the arguments of the parties, the Commission is of the view that notwithstanding the matter pending with Hon'ble Appellate Tribunal for Electricity,

the Commission can go ahead with determination of tariff. The Commission observes that tariff for generation of electricity during crushing season has already been determined in terms of PPA dated 10.03.2014. Further, during off crushing season, when the generator is allowed to run primarily on paddy straw as the fuel in terms of the Commission's Memo no. 385-386/HERC/Tariff dated 11.11.2019, the interim tariff shall be APPC or variable cost as determined by the Commission, whichever is higher.

4. Additionally, the Petitioner submitted that the Petition was originally filed for determination of tariff on the basis of biomass as the fuel and sought liberty to revise the Petition on the basis of paddy straw as the primary fuel. The Respondent did not object to the same. Accordingly, the Commission, considering the request of the Petitioner, allows to revise the Petition.
5. Accordingly, the Commission adjourns the case to be next heard on 11.02.2020 at 11:30 AM.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 11.12.2019.

Date: 11.12.2019	(Naresh Sardana)	(Pravindra Singh Chauhan)	(D.S. Dhesi)
Place: Panchkula	Member	Member	Chairman