



ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 613/2017

Petition No.: 05/2017

ORDER SHEET

22.05.2017

Before the Assam Electricity Regulatory Commission
ASEB Campus, Dwarandhar,
G. S. Road, Sixth Mile, Guwahati – 781 022

M/s Pahumara Hydrel Power Company Pvt. Ltd.(PHPCL) ----- Petitioner
Assam Power Distribution Company Ltd. (APDCL) -----Respondent-1

Date of Hearing: 22.05.2017

Representative for Petitioner:

Ms. Swapna Seshadri, Advocate
Mr. A Jaina, Director, Agnipa Energo Pvt. Ltd.
Mr. G Jaina, Director, Agnipa Energo Pvt. Ltd.
Mr. Sanjay Kumar, Advisor
Mr. Deepak Sharma, Ex Asst.

Representative for Respondent-1:

Mr. A N Goswami, GM, Com (TRC)
Mr. A.N.Dev Choudhury, AGM, (TRC)
Mr. P K Baishya, DM (TRC)

In the matter of

Petition No. 5 of 2017 filed by M/s Pahumara Hydrel Power Company Pvt. Ltd.(PHPCL) under Regulation 18.4 of the AERC (Payment of Fees) Regulations, 2015 read with provisions of AERC (Terms and Conditions for Tariff Determination from Renewable Sources) Regulations, 2012 and applicable provisions of the Electricity Act, 2003

CORAM

Shri Naba Kr. Das Chairperson
Shri Dipak Chakravarty, Member
Shri Subhash Ch. Das, Member

ORDER

1. A Hearing was held on 22.05.2017 on the Petition No 5/2017 filed by M/s Pahumara Hydrel Power Company Pvt. Ltd.(PHPCL) under Regulation 18.4 of the AERC (Payment of Fees) Regulations, 2015 read with provisions of AERC (Terms and Conditions for Tariff Determination from Renewable Sources) Regulations, 2012 and applicable provisions of the Electricity Act, 2003.
2. The representative of the Respondent re-iterated the submission made vide the rejoinder submission dated 18.05.2017. The key submissions were:
 - a. The Petitioner should come up with specific proposal for acceptance of generic tariff or project specific tariff
 - b. In case Petitioner opt for generic tariff, the Commission may fix generic tariff for 2018-19 as per relevant procedure, as the extended date of COD is 30.06.2018. The Petitioner will also have to approach the Respondent for necessary changes in the PPA.

3. The representative of the Petitioner stated that all the submissions have already been filed during the previous proceedings and vide Rejoinder submission dated 09.05.2017. The key submissions made by the Petitioner are:
 - a. As already submitted during previous proceedings, the Petitioner agrees to accept Generic Tariff for the project. The Petitioner prayed that the while determining the Generic Tariff, the Commission may determine the Generic Tariff for the period during which the project may get commissioned.
 - b. The Petitioner assured that, they will not appeal for determination of Project Specific tariff in future.
 - c. On query regarding time-frame for completion of the project, the Petitioner submitted that 6 month of dry season will be required for completion of the project.
4. During the Hearing, The Petitioner submitted a copy of Order dated 16.05.2017 of National Company Law Tribunal, Guwahati Branch, stating that Pahumara Hydel Power Company Pvt. Ltd has been amalgamated with Agnipa Energo Pvt. Ltd. The Petitioner also stated that, from now onwards all the correspondence related to Pahumara Hydel Power Company Pvt. Ltd will be made by Agnipa Energo Pvt. Ltd.
5. After Hearing the parties, the Commission noted the following
 - a. The Petitioner has prayed for determination for Generic Tariff for Small Hydro Project for the state of Assam and the Respondent has also no objection in determination of Generic Tariff.
 - b. As because the Petitioner has prayed for determination for Generic Tariff for Small Hydro Project for the state of Assam, the present petition (Petition No 5/2017) has become infructuous.
6. In view of the above, the Commission ordered the following:
 - a. To encourage setting up small hydro project in the State of Assam, the Commission will initiate separate regulatory proceeding as per the relevant Regulations for determination of Generic Tariff for Small Hydro Project. The Generic Tariff as fixed under that proceeding will be the Tariff applicable to the upcoming Small Hydro projects of Assam including the Pahumara Hydel Project.
 - b. The Petition No 5/2017 stands disposed of.

Sd/-
(Subhash Ch.Das)
Member
AERC

Sd/-
(Dipak Chakravarty)
Member
AERC

Sd/-
(Naba Kumar Das)
Chairperson
AERC