

पावर ग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड  
(भारत सरकार का उद्यम)  
**POWER GRID CORPORATION OF INDIA LIMITED**  
(A Government of India Enterprise)



केन्द्रीय कार्यालय: "सौदामिनी" प्लॉट सं. 2, सेक्टर-29, गुडगाँव-122 001, (हरियाणा) दूरभाष: 0124-2571700-719, फैक्स : 0124-2571762,  
"Saudamini" Plot No. 2, Sector-29, Gurgaon-122 001, (Haryana) Tel. : 0124-2571700-719, Fax : 0124-2571762, Web.: www.powergridindia.com

CIN : L40101DL1989GOI038121

WITHOUT PREJUDICE

CC/Comml./ROP-UPCL /2019/3

Dt.: 14.03.2019

To,  
Managing Director  
Uttarakhand Power Corporation Ltd (UPCL).  
Urja Bhawan, Kanwali Road  
Near Balliwala Chowk  
Dehradun - 248001, Uttrakhand

Dear Sir,

**Sub: "Notice for Regulation of power supply" for default of Uttrakhand Power Corporation Limited ( UPCL) in making payment of outstanding dues"**

Ref: 1. Our Letter no. NR-I/Comml/8094 dtd 28.02.2019  
2. Our Letter no. NR-I/Comml/9127 dtd 13.03.2019

1. UPCL is a Designated Inter-State Transmission System Customer (DIC) which is availing Inter-state Transmission System (ISTS) network for transfer of power from various power plants located in different parts of country to Uttrakhand and is under obligations to make timely payment of transmission tariff and to open requisite Letter of Credit (LC) towards Payment Security Mechanism (PSM) in line with CERC Regulations.
2. It is, however, a matter of serious concern that UPCL is failing to make timely payment against the monthly bills raised on it towards transmission tariff despite various commitments by UPCL and regular follow-up by CTU. As a consequence, total dues of UPCL have accumulated to Rs 130.52 Cr as on date, which includes an amount of Rs 37.70 Cr. outstanding for more than 60 days based on the bills already raised by CTU.
3. CTU has been mandated with the responsibility of Billing, Collection and Disbursement of transmission charges towards ISTS licences from all the DICs. Such huge outstanding dues as brought out above are seriously affecting the cash flows of all the ISTS Licensees and causing adverse impact on the ability to carry on as a business enterprise and to fulfil loan repayment liabilities towards creation of transmission assets.
4. Regulation 4 of CERC (Regulation of Power Supply), 2010 reads as under:-  
*"In case of outstanding dues or in case the letter of credit or any other agreed Payment Security Mechanism is not maintained as per the Agreement, the generating Company or the transmission licensee, as the case may be, may serve a notice for regulation of power supply, on the Defaulting Entity, for reducing the drawl schedule in the case of the generating company or withdrawal of open access / access to Inter-State Transmission System in the case of the transmission licensee. ...."*

5. In this regard, attention is invited to various correspondence issued by the CTU, as referred above, which demonstrates the default of UPCL in payment of legitimate dues. As per the provisions of Regulation 4 of CERC (Regulation of Power Supply) Regulation 2010, provisions of BCD procedure approved by CERC and terms of TSA, the CTU is constrained to issue this "Notice for Regulation of Power Supply".
6. Accordingly, in case of failure of UPCL to clear the outstanding dues latest by 19.03.2019 (by 4.30PM), the regulation of power supply of UPCL through their Long Term Access shall be effected as follows:-

• Quantum of power to be regulated	:	120 MW of power drawl of UPCL from ISTS network
• Commencement of Regulation of supply	:	From 00.00 Hrs of 23.03.2019
• Period of Regulation of Power supply	:	Initially for 2 months or till clearing of the dues outstanding for more than 60 days
• Source of regulation of Power Supply	:	To be regulated from various Power plants of NTPC, NHPC & SJVNL from which UPCL has allocation of power under Long Term Access, the quantum shall be in proportion of the allocation from NTPC, NHPC & SJVNL based on merit order of despatch.
• The regulation of power shall be carried out through Northern Region Transmission Corridor.		
• All other liabilities of UPCL shall be as per provisions of CERC Regulations		

7. As per Para 59 (c) of CERC Order dtd 02.09.2015 under Pet. no. 142/MP/2012, this calls for curtailment of Short Term Open Access (STOA). The relevant portion of the said CERC Order dtd 02.09.2015 is reproduced below:-

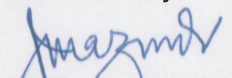
*"During the period of regulation of power supply, for defaults in payment of transmission charges, STOA to the regulated entity shall be denied by NLDC/RLDCs under Regulation 25A of Open Access Regulations from the date of commencement of regulation of power supply. ...."*

Through a copy of this Notice, NRLDC is being requested to prepare implementation plan for Regulation of Power Supply of UPCL & implement the same w.e.f. 00:00 Hrs. of 23.03.2019.

8. In view of above, UPCL is requested to liquidate the outstanding dues greater than 60 days by 19.03.2019 (by 4.30 PM) failing which regulation of power supply shall be enforced as stipulated above.

Thanking You,

Yours faithfully,

  
(J. Mazumder)

Chief General Manager(Commercial), CTU

CC.

General Manager,  
Northern Regional Load  
Dispatch Centre,  
18A, SJSS Marg, Katwaria Sarai,  
New Delhi - 110016

With a request to prepare the implementation plan for Regulation of power supply of UPCL and implement the same as per CERC Regulation, 2010. *The proposed regulation of power from various generating stations of NTPC, NHPC & SJVNL may be decided by NRLDC based on the merit order of despatch and in proportion of the allocation to UPCL.* Indemnification bond furnished earlier holds good for subject Regulation of power supply of UPCL

Executive Director (Comml.),  
NTPC Ltd, Core 7, Scope Complex,  
Lodhi Road  
New Delhi - 110016

With a request to take necessary action for implementation of Regulation of power supply of UPCL from NTPC Plants, as per CERC Regulation, 2010.

Executive Director (Comml)  
NHPC Ltd,  
NHPC Office Complex, Sector 33,  
Faridabad -121003

With a request to take necessary action for implementation of Regulation of power supply of UPCL from NHPC HEP Projects, as per CERC Regulation, 2010.

Executive Director (Comml)  
SJVNL, 205-206, 2nd Floor, Gulmohar  
Enclave, Bhanot House, Yusuf sarai,  
New Delhi - 110049

With a request to take necessary action for implementation of Regulation of power supply of UPCL from SJVNL Projects, as per CERC Regulation, 2010

Copy of Notice dtd 14.03.2019 for Regulation of Power supply issued to UPCL is enclosed for kind information of :

1. Secretary (Power), MoP, GOI, Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. Chief Secretary, Government of Uttarakhand, 4 Subhash Road, Uttarakhand Secretariat, Dehradun - 248001
3. Secretary, CERC, 3rd & 4th Floor, Chandra Lok Building, 36, Janpath, New Delhi, 110 001.
4. Secretary, Uttarakhand Electricity Regulatory Commission, Vidyut Niyamak Bhawan, Near I.S.B.T., P.O. Majra, Dehradun – 248171
5. Member Secretary, Northern Regional Power Committee, 18-A, Shaheed Jeet singh Marg, Katwaria Sarai, New Delhi -110016.
6. CMD, POSOCO, 61, IFCI Tower, 9<sup>th</sup> Floor, Nehru Place, New Delhi – 110019.
7. Chief Engineer, SLDC - Uttarakhand Vidyut Bhawan, Saharanpur Road Majra, Near ISBT Dehradun-248001, Uttarakhand.
8. ED – NR I