

FORM 1
(See Regulation 30)

**BEFORE THE HON'BLE UTTAR PRADESH ELECTRICITY REGULATORY
COMMISSION, LUCKNOW**

FILE NO. _____
CSE NO. _____

IN THE MATTER OF:

Petition for approval of Request for Proposal (RFP) document for 3X660 MW Prayagraj Thermal Power Project and Establishment of Transmission system for 765 KV two single circuit Transmission Lines from Bara to Mainpuri through Competitive Bidding Process.

AND

IN THE MATTER OF:

Prayagraj Power Generation Company Limited, a Company incorporated under the provisions of Companies Act, 1956 with its registered office at 3rd Floor, Shakti Bhavan Extension, 14- Ashok Marg, Lucknow 226001.

PETITION UNDER SECTION 63 OF THE ELECTRICITY ACT 2003 TO BE READ WITH THE GUIDELINES FOR PROCUREMENT OF POWER DATED 19TH JANUARY 2005 AND AND TARIFF BASED COMPETITIVE GUIDELINE FOR TRANSMISSION SERVICES DATED 17TH APRIL 2006 BY MINISTRY OF POWER

THE PETITIONER RESPECTFULLY SHOWETH:

- a) The Government of Uttar Pradesh (GoUP) has identified a Special Purpose Vehicle, Prayagraj Power Generation Company Ltd (PPGCL) created under Company Act 1956 for development of Prayagraj thermal power project.
- b) GoUP has identified Prayagraj Power Generation Company Limited (PPGCL) as the nodal agency and that the distribution companies owned by UPPCL viz. Paschimanchal Vidyut Vitran Nigam Limited, Poorvanchal Vidyut Vitran Nigam Limited, Madhyanchal Vidyut Vitran Nigam Limited, Dakshinanchal Vidyut Vitran Nigam Limited, Kanpur Electricity Supply Company Limited (jointly referred to as “**DISCOMS**”) have authorised PPGCL to select the developer for 3 X 660 MW Prayagraj Power Generation Company Limited, a thermal power project proposed to be located at Bara, District Allahbad, Uttar Pradesh (hereinafter known as the “**Project**”).
- c) Earlier the Competitive Bidding Process was initiated for selection of developer for development of 3X660 MW Prayagraj Power Project. However the same is annulled now vide decision of Government of Uttar Pradesh Letter No. 2475/24-01-08-2726/07 dated 25/07/2007. The Authorised Representative has initiated fresh bidding process for selection of developer for 3x660MW & Transmission System as directed vide GoUP. letter no. 2567/24-1-2008 dated 05 August, 08.
- d) Uttar Pradesh Power Transmission Company Limited (UPPTCL) has been identified as Bid Process Coordinator (BPC) for selection of Developer in accordance with the competitive bidding guidelines for Transmission Service issued by MOP, GoI.
- e) The project is proposed to be executed as a composite generation and transmission project so that the project implementation schedule of the two components is synchronised and the risk of non-availability of transmission facility is mitigated. It is proposed that a single Bidder will be selected for implementation of both the generation and transmission components of the project. The selection of the Successful Bidder is proposed to be undertaken based on the Tariff based competitive bidding guidelines issued by Ministry of Power for Long Term Power Procurement by distribution Licensees as well as for establishment of transmission projects respectively. It is also proposed that the bidders will need to quote power generation tariff and Transmission Charges separately for the two components, however the evaluation will be carried out on the combined price quoted by the bidders as per evaluation criteria described in this RFP document.
- f) In the Pre Bid Conference for Sangam Power Project held on 20th September 2008, Bidders requested for same date of opening of bids for Sangam Power Project & Prayagraj Power Project as many prospective bidders are common to both the project. The time lines for this project have been framed accordingly.

- g) PPGCL is following a two stage process featuring the Request for Qualification (RFQ) and Request for Proposal (RFP) stages for selection of the developer for the Project. In RfQ stage Nine (9) bidders participated and all of them had fulfilled all the evaluation criteria and were declared qualified for RfP stage. A copy of the RFP is attached with this petition.
- h) The Ministry of Power, Government of India issued “Guidelines for Determination of Tariff by Bidding Process for Procurement of Power by Distribution Licensees” dated 19th January 2005 and Tariff Based Competitive Bidding guideline for Transmission Services dated 17th April 2006 (“**The Guidelines**”) under section 63 of The Electricity Act 2003. Para 3.1(i) and (ii) of these guidelines state as under:
- a. *The bid documentation shall be prepared in accordance with these guidelines and the approval of the appropriate Regulatory Commission shall be obtained unless the bid documents are as per the standard bid documents issued by the Central Government. In such cases, an intimation shall be sent by the procurer to the appropriate Regulatory Commission about initiation of the bidding process.*
 - b. *Approval of the Appropriate Commission shall be sought in event of the deviations from the bidding conditions contained in these guidelines, following the process described in para 5.16 of these guidelines.*
- i) The proposed changes from the Standard Bid Document issued by GoI and previously approved RFP by UPERC are listed down in the Annexure A attached with this petition.
- j) PPGCL respectfully prays the Hon’ble Commission to
- a. Take the petition on record.
 - b. Allow Authorised Representative to commence the sale of RFP document to bidders and incorporate any further changes that may be required subsequently in RFP documents.
 - c. Grant suitable opportunity to the petitioner within a reasonable time frame to file additional material information that may be subsequently available and / or as may be required by the Hon’ble Commission.
 - d. Consider and approve the RFP documents..
 - e. Approve the last date of submission of bid as 24th October 2008
 - f. Pass such order as the Hon’ble Commission may deem fit & proper in the facts & circumstances of the case.

Prayagraj Power Generation Company Limited
Petitioner

Chief Engineer (Project)

Lucknow
25th September, 2008