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Name: Enrolment No:		 UPES UNIVERSITY WITH A PURPOSE	
UNIVERSITY OF PETROLEUM & ENERGY STUDIES End Semester Examination – December, 2018			
Program/course: MBA (ET) Subject: Energy Contracting and Negotiations Code: OGET8002 No. of page/s: 2		Semester : IIIrd Max. Marks : 100 Duration : 3 Hrs	
<i>All questions shall be strictly answered in chronological order.</i>			
<u>SECTION A</u>			[30 Marks]
Ques 1	Which act governs the contracts signed under the Indian Law?	3	CO1
Ques 2	In the event of a dispute amongst the parties to a Power Purchase Agreement, the supplier is free to stop the power supply: a) As soon as the dispute arises b) When the supply period finishes c) When the onward supply contract of buyer finishes d) All of the above	3	CO2
Ques 3	What is the need of Force Majeure clause in an agreement.	3	CO1, CO2
Ques 4	Successful Negotiation is when one party wins and the other party loses. (True/false). Give valid reasons for your answer.	3	CO1
Ques 5	An individual cannot be appointed as an Operator in a Joint Operating Agreement. Argue if the statement is true or false.	3	CO2
Ques 6	According to the Model Fuel Supply Agreement, Monthly Scheduled Quantity (SQ) shall be _____ of the Quarterly Quantity (QQ) a) 1/2 b) 1/4 c) 1/3 d) 1/5	3	CO2, CO3
Ques 7	Joint Operating Agreement and Production Sharing Contract are two names for the same agreement.	3	CO1

	Mention if the statement is true or false with valid reasons.		
Ques8	While drafting a Long Term Power Purchase Agreement how is the Tariff mentioned.	3	CO1
Ques9	Expand the following abbreviations and in a single line highlight their importance w.r.t the context they are used in: PNDCQ RPC	3	CO1
Ques 10	List the various types of Power Purchase Agreements that can be legally executed.	3	CO1
<u>SECTION B</u>		[40 marks]	
Ques 11	Discuss the importance of a Security Deposit while executing a Fuel Supply Agreement.	10	CO3, CO4
Ques 12	Every Joint Operating Agreement involves an Operator. Discuss the importance of an operator in view of its roles and responsibilities.	10	CO2, CO3
Ques 13	Explain the importance of the following clauses in a standard Production Sharing Contract a) Work Programme b) Management Committee c) Operatorship, Operating Agreement and Operating Committee d) Sole Expert, Conciliation and Arbitration e) Assignment of Participating Interest	10	CO1, CO2
Ques 14	How can a negotiator prepare for a successful negotiation?	10	CO4
<u>SECTION C</u>			
Ques 15	M/s ABC Pvt. Limited owns and operates a Coal Mine and has entered into a Fuel Supply Agreement with M/s XYZ Pvt. Limited, a Power Generator. In capacity of the General Manager (Technical and Contracts) of M/s XYZ Pvt. Limited, discuss the various clauses and arrangements that you would discuss with the supplier to make the FSA successful.	30	CO4, CO5

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<u>SECTION A</u>		[30 Marks]	
Ques 1	Which act governs the contracts signed under the Indian Law?	3	CO1
Ques 2	In the Power Trading market, risk management is effected through financial instruments. Evaluate the statement by giving suitable examples.	3	CO2
Ques 3	What is the need of Condition Precedent clause in an agreement.	3	CO1, CO2
Ques 4	Negotiation misses its primary motive if both the parties are in a win-win situation. Argue for or against the statement.	3	CO1
Ques 5	An Operator hold the most important position in a Joint Operating Agreement. Argue if the statement is true or false.	3	CO2
Ques 6	According to the Model Fuel Supply Agreement, Monthly Scheduled Quantity (SQ) shall be _____ of the Quarterly Quantity (QQ) e) 1/2 f) 1/4 g) 1/3 h) 1/5	3	CO2, CO3
Ques 7	Mention the most important point of differentiation between a JOA and PSC.	3	CO1
Ques8	While drafting a Long Term Power Purchase Agreement how is the Tariff mentioned.	3	CO1
Ques9	Expand the following abbreviations and in a single line highlight their importance w.r.t the context they are used in: BATNA ZOPA	3	CO1
Ques 10	List the various types of Power Purchase Agreements that can be legally executed.	3	CO1
<u>SECTION B</u>		[40 marks]	
Ques 11	Discuss the importance of a Work Programme while executing a Production Sharing Contract.	10	CO3, CO4

Ques 12	In accordance with the Indian Contract Act, discuss the various essentials of a Valid Contract.	10	CO2, CO3
Ques 13	Explain the importance of the following clauses in a standard Production Sharing Contract a) Period of Agreement b) Condition Precedent c) Quality of Fuel d) Suspension of Coal Supplies e) Settlement of Disputes	10	CO1, CO2
Ques 14	Provide a comparative analysis of Integrative and Distributive Negotiations	10	CO4
<u>SECTION C</u>			
Ques 15	M/s ABC Pvt. Limited owns and operates a Coal based thermal power plant entered into a Power Supply Agreement with M/s XYZ Pvt. Limited, a Power Distribution Company. In capacity of the General Manager (Business Development and Contracts) of M/s ABC Pvt. Limited, discuss the various clauses and arrangements that you would discuss with the buyer to make the PPA successful.	30	CO4, CO5