

JOINT ELECTRICITY REGULATORY COMMISSION

(FOR THE STATE OF GOA AND UNION TERRITORIES)

GURUGRAM

Coram

Shri M.K. Goel, Chairperson

Petition No. 14/2019

Date of Hearing:

16.03.2020

Date of Order: 28.03.2020

In the matter of:

Power Sale Agreement for Sale of 40 MW Wind Power on Long Term Basis

And In the matter of:

The Superintending Engineer,
Electricity Department,
Electricity Operation Circle, Room No. 511,
5th Floor, U.T. Secretariat, Deluxe Building
Sector-9 D,
UT Chandigarh- 160 009.

Petitioner.....

And In the matter of:

Solar Energy Corporation of India Limited (SECI),
1st Floor, PRIUS Platinum, 'A' Wing,
D-3, District Centre, Saket,
New Delhi- 110 017.

Respondent.....

Present

For the Petitioner:

1. Shri U.K. Patel, Executive Engineer

For the Respondent:

1. Shri Atulya Kumar Naik, Asstt. General Manager (PS)
2. Shri Anil Yadav, Dy. Manager (PS)

ORDER

The Commission heard Shri Atulya Kumar Naik, Asstt. General Manager (PS) Solar Energy Corporation of India Limited (SECI) and Shri U.K. Paul, Executive Engineer, Electricity Department, Chandigarh at length.

The Commission has noted that the Central Electricity Regulatory Commission (CERC) in its Order dated 20.11.2019 in the matter of Solar Energy Corporation of India Limited (SECI) Verses Ministry of Power and Renewable Energy, New Delhi and Others has observed that the tariff of the Projects has been carried out by SECI through a transparent process of competitive bidding in accordance with the guidelines issued by the Ministry of Power, Government of India. Accordingly, the CERC has adopted the following tariff under Section 63 of the Electricity Act, 2003 for the Projects as agreed to by successful bidders subject to signing of the Power Purchase Agreements (PPA) with the WPDs, Which shall remain valid throughout the period covered in the PSAs and PPAs:-

Successful Bidders	Bidders Quantity MW	Tariff (INR/ kWh)
Adani Renewable Energy Park (Gujarat) Limited	250	2.82
Ostro Energy Private Limited	300	2.82
Srijan Energy Systems Private Limited	150	2.82
Powerica Limited	52.60	2.82
Zenataris Renewable Energy Private Limited	125	2.83
SBESS Services Projectco Two Private Limited	324.4	2.83

The specific prayer of the SECI to adopt the tariff at the pooled rate of Rs. 2.8237/kWh was rejected by the CERC as the tariff at the pool rate of Rs. 2.8237/kWh is not the tariff discovered through competitive bidding process.

The commission has further noted that the CERC has also rejected the prayer of SECI to adopt the trading margin of Rs. 0.07/kWh on the basis that Section 17(1) (j) of the Electricity Act, 2003 requires CERC to fix the trading margin in the inter-

State trading of electricity, if considered necessary. Accordingly, CERC is of the opinion that it was necessary to fix Trading Margin for the inter-State trading in electricity, exercised the powers conferred under Section 178 of the Act and conceived CERC (Fixation of Trading Margin) Regulations, 2010 (hereinafter referred to as 'Trading Margin Regulations) which are applicable to the short-term-buy-short-term sell contracts for the inter-State trading in electricity undertaken by a licensee. At the same time Trading Margin Regulations do not provide for any Trading Margin for long term transactions and, therefore, it is upto the contracting parties to mutually agree on Trading Margin, if any, in such cases.

In view of the above, the Commission raised the specific query to the SECI namely under which law/legal Order/ Regulation, it is asking pool tariff rate of Rs. 2.8237/kWh & trading margin of Rs. 0.07/kWh which was rejected by the CERC in its Order dated 20.11.2019. The SECI is further directed to file its clarification on this issue on affidavit within 4 weeks to enable the Commission to take further necessary action in this matter.

Ordered accordingly.

Sd/-
M.K. Goel, Chairman

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Secretary JERC