JOINT ELECTRICITY REGULATORY COMMISSION FOR THE STATE OF GOA AND UNION TERRITORIES GURGAON

Coram
Dr. V.K. Garg, Chairperson
Sh. S.K.Chaturvedi, Member
Petition No. 102/2013

In the matter of
Review petition under section 94 of the Electricity Act, 2003.

And in the matter of:
M/S Saheli Export Private Limited, Chennai.
And
1. Electricity Department, Puducherry
2. Renewable Energy Agency Puducherry (REAP)
Present:
For the Petitioner
1. Shri K Narayanan, Representative, Saheli Export Pvt. Ltd.
2. Ms. Swapna Seshadri, Advocate proxy counsel for Shri Anand K. Ganesan, Advocate Saheli Export Pvt. Ltd.

For the respondent
1. Shri K. Mathivanan, Superintending Engineer, ED- Puducherry.
2. Shri T. Chanemougam, Executive Engineer, ED- Puducherry.

ORDER

11.06.2013

M/S Saheli Export Private Limited – petitioner has filed the present petition for review of order dated 27.02.2013 passed by the Commission in petition no. 39/2011 broadly with submission that the Commission in order dated 27.02.2013 in petition no. 39/2011 decided that the petition is kept in abeyance till the initialled PPA is filed for approval of the Commission after inclusion of survey number of the land where the project is to be constructed. Whereas mentioning of survey number of land in draft PPA for approval of the Commission is not essential. Therefore, the petition no. 39/2011 be restored and the draft PPA be approved without mentioning of survey number of the land where project is to be installed.

ED- Puducherry respondent in reply submitted that the project proponent in the review petition has submitted that they are not in a position to identify land for setting up of the power plant on account of cost factor. ED Puducherry further submitted that confirmation of Connectivity for evacuation of power generated from the power plant is also considered a vital factor for determination of plant location. Therefore, it is not possible for ED Puducherry to confirm Grid Connectivity without identification of location of land and as per Clause 5.4 of the Guidelines for Rooftop PV & Small Solar Power Generation Programme (RPSSGP) issued by the Ministry of New and Renewable Energy (MNRE), Govt. of India dated 16.06.2010 requires confirmation of ED Puducherry on Grid Connectivity.

In the above circumstance the project proponent may be allowed to identify at least three locations for setting up of power plant, so that ED Puducherry would be in a position to confirm feasible sites for Grid Connectivity and the project proponent can choose any one of feasible sites for implementation of the scheme.

ED Puducherry further submitted that final PPA is to be executed between ED Puducherry and the project proponent and will be signed by ED Puducherry only after finalizing of plant location and incorporating land details in the PPA.

Learned counsel for the petitioner submitted that they have received the submission filed by the respondent and have sent to the petitioner for filing rejoinder to the submission of the respondent and identification three locations for installation of power plant and prayed for One month time for filing rejoinders and identification of three locations for installation of power plant.

Representative of the respondent further submitted that Ministry of New and Renewable Energy, Govt. of India vide letter No. 29/5(5)/2010-11/JNNSM/ST-Part dated 30.04.2013 intimated all stakeholders and concerned that the Govt. of India is bringing a scheme to supply power to DISCOMS at a fixed levelised tariff of Rs. 5.50 per KW/ hour for 25 years and power is likely to be available by the end of December, 2014. Whereas the Commission in the order dated 2.07.2012 has determined tariff at the rate of Rs. 10.58 per KW for the PPA to be executed between the parties. The tariff determined by the Commission is on very higher side to that of the tariff proposed by the Govt. of India. Therefore, the respondent wants to file petition for revision of the tariff.

The Commission heard learned counsel for the petitioner and representative of the respondent, considered request of the petitioner, submissions made by representative of the respondent and has gone through the file carefully and thoroughly. The Commission acceded request of learned counsel for the petitioner and directed to file rejoinder to the submission of respondent on or before 8.07.2013 with advance copy to the opposite party.

The Commission also observed that the order dated 2.07.2012 passed by the Commission is under Appeal before Hon'ble ATPEL and the Commission will take appropriate action at appropriate time on the petition, if any, filed before the Commission for revision of tariff determined by the Commission vide order dated 2.07.2012.

Scheduled for hearing on 18.07.2013 at 11:00 AM.

Sd/-
(S.K.Chaturvedi)
Member

Sd/-
(Dr. V.K. Garg)
Chairperson

Certified Copy

(R.K. Malik) 130617
Secretary