

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 1882 of 2020.

In the matter of:

Review Petition under Section 94 of the Electricity Act, 2003 read with Regulation 72 of the GERC (Conduct of Business) Regulations, 2004 for review of Order No. 03 of 2020 dated 08.05.2020 for Tariff framework for procurement of power by distribution licensees and others from Solar Energy Projects and other commercial issues for the State of Gujarat.

Petitioner : Kutch Sea Water Desalination Private Limited
Co-Petitioner : Bhavnagar Desalination Private Limited
Co-Petitioner : Dwarka Sea Water Desalination Private Limited
Co-Petitioner : Gir Somnath Desalination Private Limited

Represented by : Learned Advocate Shri Nisarg Desai along with Shri Prayag Bhavsar, Shri Neeraj Nair, Shri Balwant Joshi, and Shri Anant Sant

V/s.

Respondent No. 1 : Energy and Petrochemicals Department, GoG.
Represented by : Nobody was present.

Respondent No. 2 : Paschim Gujarat Vij Company Limited
Represented by : Learned Advocate Ms. Ranjitha Ramachandran and Shri J. J. Gandhi

Respondent No. 3 : Dakshin Gujarat Vij Company Limited
Represented by : Shri M. D. Chaudhari.

Respondent No. 4 : Madhya Gujarat Vij Company Limited
Represented by : Ms. N. V. Gupte.

Respondent No. 5 : Uttar Gujarat Vij Company Limited
Represented by : Shri K. B. Chaudhary and Shri K. D. Barot

Respondent No. 6 : Gujarat Water Infrastructure Limited
Represented by : Nobody was present.

Objector No. 1 : Welspun Group
Represented by : Shri Shalin Agarwal and Dr. Bhumik Dave.

Objector No. 2 : Gujarat Urja Vikas Nigam Limited
Represented by : Learned Advocate Ms. Ranjitha Ramachandran
alongwith Smt. Sailaja Vachhrajani.

Objector No. 3 : Federation of Renewable & Consumers of Energy
Represented by : Shri Vikram Shah.

Objector No. 4 : IB Vogt Solar India Pvt. Ltd.
Represented by : Nobody was present.

Objector No. 5 : Madhu Silica Pvt. Ltd.
Represented by : Shri Vikram Shah.

Objector No. 6 : ASSOCHAM
Represented by : Nobody was present.

Objector No. 7 : Ramev Projects
Represented by : Nobody was present.

Objector No. 8 : Confederation of Industry - Gujarat
Represented by : Nobody was present.

Objector No. 9 : Gaurang Lotia
Represented by : Nobody was present.

Objector No. 10 : Users Welfare Association
Represented by : Nobody was present.

Objector No. 11 : Utility Users Welfare Association
Represented by : Nobody was present.

Objector No. 12 : Rajkot Chamber of Commerce and Industry
Represented by : Nobody was present.

Objector No. 13 : Reliance Industries Limited
Represented by : Nobody was present.

Objector No. 14 : Torrent Power Limited
Represented by : Shri Chetan Bundela along with Ms. Luna Pal and Shri
Jignesh Langalia.

Objector No. 15 : Gujarat Energy Transmission Corp. Ltd.
Represented by : Shri K. H. Rathod and Shri K. J. Bhuva

Objector No. 16 : PRAYAS
Represented by : Nobody was present.

Objector No. 17 : Dr. Anop Singh, IIT Kanpur
Represented by : Ms. Sufia.

CORAM:

Mehul M. Gandhi, Member
S. R. Pandey, Member

Date: 29/07/2021.

DAILY ORDER

1. The matter was kept for virtual hearing on 27.07.2021 through Video Conferencing on account of prevailing COVID 19 pandemic.
2. Heard Ld. Advocate Shri Nisarg Desai stating that the Petitioners are required to set up desalination plants and operate them and have filed the present Petition seeking review of the Commission's Order No. 03 of 2020 dated 08.05.2020 with consideration of the Government of Gujarat Policy vide G.R. dated 15.5.2019 for relaxing ceiling norms regarding installed capacity of Solar energy power projects allowed up to 400% of contract demand with the distribution licensee. Moreover, the Petitioners have sought clarification on banking charges and waiver of Cross Subsidy Surcharge and Additional Surcharge considering the special nature of desalination plants.
 - 2.1. It is argued that the Petitioners filed affidavit in compliance to the directions in Daily Order dated 15.03.2021 and thereafter, pursuant to hearing on 20.04.2021, the Commission vide Daily Order dated 28.05.2021 reserved the matter for order.
 - 2.2. It is further argued that, subsequently Objector No. 14 Torrent Power Ltd. has filed its reply vide affidavit dated 25.06.2021 on maintainability and other aspects for

which the Petitioners have filed rejoinder vide affidavit dated 20.07.2021. As regard to the issue of maintainability, it is argued that the Commission at para 8.8 of its Daily Order dated 15.03.2021 has considered the same.

- 2.3. It is also submitted that Petitioners have no further arguments to make or add to earlier submissions and the Commission may pass appropriate order in the matter.
3. Ld. Advocate Ms. Ranjitha Ramachandran also agreed to above and submitted that the Commission may consider the contentions/arguments advanced earlier on behalf of the Respondent PGVCL including reply & written submissions filed in the matter and there is nothing more to add in the matter. It is also submitted that the reply filed by Respondent No. 2 PGVCL is adopted by Objector GUVNL as well.
4. Shri Jignesh Langalia on behalf of Torrent Power Ltd. submitted that rejoinder filed by the Petitioners vide affidavit dated 20.07.2021 in response to their reply is not provided and the Commission may direct the Petitioners to provide the copy of same.
5. Ld. Advocate Shri Nisarg Desai submitted that rejoinder is emailed by the Petitioners to email ID from which reply was received and further agreed to provide the copy of same.
6. Since, the parties submitted that the Commission may decide the matter based on the submissions already made earlier and considering the record of present Petition, we decide to reserve the matters for Order.
7. We order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 29/07/2021.