

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.170/MP/2023

Subject : Petition under Section 66 of The Electricity Act, 2003 read with the Regulation 25 of the Central Electricity Regulatory Commission (Power Market) Regulations, 2021 for approval of introduction of High Price bilateral market segment with contracts operating under provisions of Regulation 5(2) and 5(3) of Central Electricity Regulatory Commission (Power Market) Regulations, 2021.

Date of Hearing : **8.6.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Petitioner : Power Exchange India Limited (PXIL)

Respondent : Grid Controller of India Limited (GCIL)

Parties Present : Shri Sakya Singha Chaudhuri, Advocate, PXIL
Ms. Nithya Balaji, Advocate, PXIL
Shri Aryaman Singh, Advocate, PXIL
Shri Anil Kale, PXIL
Shri Alok Mishra, NLDC

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking approval of the introduction of High Price Bilateral Market segment with contracts operating under Regulations 5(1) and 5(3) of the Central Electricity Regulatory Commission (Power Market) Regulations, 2021. Learned counsel further submitted as under:

(a) The Petitioner has already uploaded the present Petition on its website along with the Public Notice dated 29.5.2023 inviting comments/ suggestions from stakeholders on the introduction of High Price Term Ahead Market Contract at PXIL.

(b) Ministry of Power vide Notification dated 22.7.2022 has, *inter alia*, prescribed the energy storage obligations to be fulfilled for the financial year 2023-24 till financial year 2029-30 and accordingly, the Petitioner has proposed to issue 'Certificate of Purchase from Energy Storage System' to cleared buyers that purchase energy in such different High Price Bilateral Market Contracts where selling Battery Energy Storage System (BESS) entities qualify under the criteria of Energy Storage Plant.

(c) The Petitioner has, therefore, requested that directions be issued to GCIL to provide information regarding BESS that qualify as entities so that purchase of energy from such sources in different contracts of High Price bilateral market will enable the buyers to fulfill 'Energy Storage Obligation' for the year.

(d) The Petitioner has also sought clarification on the treatment of Energy Storage System as a market participant.

(e) As to the eligibility of generators for participation in High Price Market, the Commission has indicated that it shall be subject to periodic review by the Commission. In this regard, PXIL has received representations from certain generators, who presently do not qualify for participation in the High Price Market. The Commission may consider reviewing the eligibility of generating stations after taking into account submissions of such generators or GCIL thereof.

2. After hearing the learned counsel for the Petitioner, the Commission ordered as under:

(a) Admit. Issue notice to the Respondent.

(b) The Petitioner to serve a copy of the Petition on the Respondent and the Respondent to file its reply, if any, within three weeks with a copy to the Petitioner, who may file its rejoinder, if any, within three weeks thereafter.

(c) Once the time-limit for submissions of comments/ suggestions under the Public Notice dated 29.5.2023 gets over, the Petitioner to file an affidavit with a detailed study incorporating the comments received from the stakeholders and its response thereof within three weeks thereafter.

3. The Petition be listed for hearing on **25.8.2023**.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**