

4.23.6. It is also stated various factors affecting the tariffs of solar power as well as aspects relating to price discovery in the tender are mentioned as under:

- (a) GUVNL's consultant M/s PWC has submitted an analysis showing the details of tariffs discovered in GUVNL's recent tenders along with module prices and EPC costs prevailing in the market.

Capacity (MW)	Month-Year	Result (Rs/kWh)	Module price (Rs/Wp)	EPC Cost (Rs/Wp)	Wt. Avg. lending rate (%)	NPV of Finance cost (Rs/Wp)	Total cost* (Rs/Wp)
500	Dec-20	1.99	17.31	24.98	7.24%	6.41	33.61
500	Mar-21	2.20-2.21	18.63	26.78	6.17%	5.91	35.08
500	Mar-22	2.29	24.40	37.11	5.92%	8.16	50.40
500	Jun-22	2.30-2.31	29.66	42.40	6.67%	10.62	58.87
750	Sep-22	2.49-2.66	30.47	43.21	7.53%	12.26	61.44
500	Jan-23	2.51-2.52	27.79	40.03	9.33%	13.91	59.46
500	Apr-23	2.71-2.75	24.67	36.91	9.41%	12.94	54.94

**Including taxes and duties.*

- (b) Although there is a decrease in module prices at present, there are some factors which contribute to increase in solar tariffs quoted by bidders.
- (c) The generators are required to install only those modules that are notified by MNRE, Government of India, in the "Approved List of Models and Manufacturers" (ALMM). At present, the ALMM consists of predominantly domestic models and most of the Chinese suppliers have not been listed therein. Ministry of New & Renewable Energy (MNRE) has clarified that the exemption will be available to those solar projects that will be commissioned by March 31, 2024, which has created ambiguity for developers regarding import of modules after March, 2024 due to limited domestic module manufacturing capacity in the country. The commissioning of the projects in the present tender would fall after March, 2024.
- (d) MNRE has recently issued an OM dated 31.03.2023 wherein the bidding trajectory with bids of 50 GW per annum to be floated from FY 2023-24 to FY 2027-28, in order to achieve the target of 500 GW installed capacity from non-fossil fuel sources by the year 2030 has been notified. The number of developers participating in the tenders are limited and specific across the nation and are

usually common for bids of GUVNL as well for other tendering agencies at Central and State levels. The developers usually diversify their bid quantum by participating in various bids. This affects demand supply perception as well as pricing.

- (e) Presently, the installed capacity of domestic module manufacturing in India is around 45 GW and that of cell manufacturing is around 6.6 GW. As against this, 53 GW solar capacity is already in pipeline in addition to bidding trajectory of 50 GW RE capacity annually targeted by MNRE which will be predominantly solar capacity. Moreover, there will be additional bidding under tenders of various State Governments. Thus, up to March 2025, it is expected that there will be a huge demand against limited supply of modules due to which shortfall in supply of domestic solar modules in India.
- (f) Further, the exemption from ALMM requirements till March, 2024 is likely to increase the order book position of foreign suppliers (predominantly Chinese). The increase in orders due to ALMM exemption may impact overall pricing of modules due to increase in ordering activities going forward. Although the commissioning of the projects related to present tender would be falling in November, 2024 on account of increase in ordering activity, the developers may be quoting higher tariffs taking into consideration the uncertainty on account of shortage in module supply.
- (g) Phasing out of waiver of ISTS transmission charges from June, 2025 by Government of India is also an important factor affecting demand supply situation in FY 2024-25 as it is expected that many projects are likely to be awarded & commissioned in the country prior to expiry of ISTS waiver in June, 2025 which may increase in overall demand of modules and consequently the future module prices.
- (h) Further, the domestic manufacturers have been increasingly exporting solar modules to US and other countries as there is an increased demand of solar modules at Global level.

- (i) Recently in the tenders issued by MSEDCL – Maharashtra & Central PSUs, the following tariffs in non-park solar tenders have been discovered:

State	Agency	Capacity (MW)	Month-Year	Result (Rs./kWh)
Maharashtra	MSEDCL	500	Aug 2022	2.90
Maharashtra	MSEDCL	500	Sep 2022	2.82
Maharashtra	MSEDCL	500	Dec 2022	2.90
Pan India - PSU	DVC	500	Apr 2023	2.69
Pan India - PSU	RECPDCL	1250	Apr 2023	2.55
Maharashtra	MSEDCL	500	Apr 2023	2.87

4.23.7. Also, the Petitioner GUVNL has also given “In-Principle” approval to GSECL and GIPCL for purchase power from total 5700 MW capacity to be developed in GSECL & GIPCL solar parks at Khavda having capacity of 3325 MW and 2375 MW respectively. The present tender is for first tranche of 600 MW Capacity to be set up in GSECL’s Solar Park with Greenshoe Option of additional 600 MW. GSECL and GIPCL have already secured connectivity and have submitted Bank Guarantees to CTU.

4.23.8. The tariffs of Solar Park based projects are usually higher when compared to tariffs of Non Park based Solar Projects due to special and challenging geographical conditions of wastelands which are utilized for development of parks. The development of solar parks in far flanged wasteland areas also contribute to development of local areas and associated socio economic benefits to the State in addition to benefit of cheaper power.

4.23.9. It is stated that the low lying site of Solar Park at Khavda is silty, with clay and having high swelling making it difficult to construct sustainable foundations without additional measures for structures and modules. Further, the patches of land get flooded often due to low lying land surrounded by water bodies and water channels of Rann of Kutch Lake. Presence of ground water at the depth of foundation level, High Chlorides and Sulphates in water and surrounding environment in the salty desert area entail high corrosion effects and add further costs & risks requiring superior quality of design, materials and processes. In addition to above issues, the project developers during the project execution as well as construction phase are required to observe strict compliance of security norms due to proximity with

International Boarder. Moreover, since the site is in far flung area away from civilian presence, it increases the executional and operational difficulties of the project developers. In view of above mentioned special & challenging geographical conditions of the Solar Park at Khavda, the higher tariffs compared to the tariffs of non-park based solar projects can be justified.

- 4.24. It is stated that the Petitioner GUVNL also issued Letters of Intent (LoIs) dated 16.05.2023 to the above-stated successful Bidders for total capacity of 1200 MW at the respective tariff as mentioned in the above table and also filed copies of LoIs along with the present Petition. As per terms and conditions of tender, the PPAs are to be signed with above successful Bidders within 90 days from the date of issuance of LOIs, unless extended as per RfS. However, it has been mentioned in the LoI that PPAs shall be signed with successful bidders or its SPV only after the approval of the Commission (GERC) and in accordance with such approval.
- 4.25. In view of the above and in accordance with Section 63 read with Section 86 (1) (b) of the Electricity Act 2003, the Petitioner has filed the present Petition for adoption of tariff discovered by the Petitioner in Competitive Bidding Process conducted through RfS No. GUVNL/600 MW/Solar (Phase XVII) dated 29.09.2022 for procurement of power from Grid connected Solar PV Projects located in 600 MW Solar Park at Khavda (GSECL Stage 1) with Greenshoe Option of additional up to 600 MW.
5. The matter was heard on 05.07.2023. During the hearing, representative appearing on behalf of the Petitioner GUVNL, reiterating the facts of the Petition as stated at para 4 above. It is requested that the Commission may adopt the tariff discovered in Competitive Bidding Process undertaken by the Petitioner through RfS dated 29.09.2022 (Phase XVII) for tie-up of Solar power.
6. We have considered the submissions made by the Petitioner. The Petitioner has filed the present Petition under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003. The Petitioner has sought the approval of the Commission for adoption of discovered tariff in the range of Rs. 2.73 – Rs. 2.89 per unit quoted by successful bidders under competitive bidding process followed by e-reverse auction of bid No.

RfS No. GUVNL/600 MW/Solar (Phase XVII) dated 29.09.2022, as stated in above paras.

6.23. The Petitioner is purchasing power in bulk for and on behalf of four Distribution Licensees, namely, DGVCL, MGVCL, PGVCL and UGVCL. The Petitioner also procures the renewable power by entering into agreements with the developers for its four Distribution Licensees towards fulfilment of their RPO as specified by the Commission in the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 as amended from time to time including the GERC (Procurement of Energy from Renewable Sources) (Third Amendment) Regulations, 2022. In the said Regulations, the Commission has stipulated the RPO requirement of Distribution Licensees till FY 2024-25 as under:

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in terms of energy in kWh)				
	Wind (%)	Solar (%)	Hydro Power Purchase Obligation (HPO) (%)	Others (Biomass, Bagasse & Bio-fuel based cogeneration, MSW and Small/Mini/Micro Hydro) (%)	Total (%)
(1)	(2)	(3)	(4)	(5)	(6)
2017-18	7.75	1.75		0.50	10.00
2018-19	7.95	4.25		0.50	12.70
2019-20	8.05	5.50		0.75	14.30
2020-21	8.15	6.75		0.75	15.65
2021-22	8.25	8.00		0.75	17.00
2022-23	8.25	8.00		0.75	17.00
2023-24	8.40	9.50	0.05	0.75	18.70
2024-25	8.55	11.25	0.10	0.80	20.70

From the above table it is apparent that the Petitioner is required to procure substantial quantum of Solar power, since the Commission has increased the Solar RPO in view of the requirement stipulated by the Government of India. Accordingly, in order to meet the Solar RPO target, the Petitioner had initiated the competitive bidding process followed by e-reverse auction for procurement of 600 MW power (along with Greenshoe option for 600 MW capacity) from the Solar PV Projects located in Solar Park at Khavda (GSECL Stage 1) through RfS No. GUVNL/600 MW/Solar (Phase XVII) dated 29.09.2022.

6.24. It is observed that the Petitioner initiated the Competitive Bidding Process followed by e-reverse auction as per Section 63 of the Electricity Act vide RfS No. GUVNL/600

MW/Solar (Phase XVII) dated 29.09.2022 for procurement of 600 MW from the Grid connected Solar PV based Power projects with Greenshoe option of additional 600 MW located in 600 MW Solar Park at Khavda (GSECL Stage 1) with an intimation to the Commission under Clause 3.1.1 of the Competitive Bidding guidelines issued by the Ministry of Power.

- 6.25. We note that the Petitioner has also issued 'Notice Inviting Tender' so as to provide wide publicity of the said tender i.e., RfS No. GUVNL/600 MW/Solar (Phase XVII) dated 29.09.2022 by publishing notice in two National newspapers having wide circulation and to seek wide participation from the participating bidders. The Petitioner also hosted the Bid Documents on its website as well as on the e-bidding portal 'Bharat-electronic tender'. Further, the Petitioner also held a Pre-Bid Meeting through video conference on 02.11.2022, wherein key bid parameters, provisions of bid documents & timelines were discussed, and the queries raised by the Prospective Bidders were addressed by the Petitioner for which minutes of meeting were also issued and hosted on the websites of GUVNL and on e-bidding portal. The last date of bid submission in the tendering process initially was 15.11.2022 which was subsequently extended up to 24.04.2023.
- 6.26. We note that the Petitioner received online bids from 10 bidders offering aggregate capacity of 2600 MW and the technical bid opening was held on 27.04.2023 in the presence of Bid Evaluation Committee consisting of following officials:

Sr. No.	Name	Designation
1	Shri H.N. Shah	General Manager, RE
2	Smt. Bhavani Ghattamaneni	Chief Finance Manager
3	Shri Parthiv Bhatt	Company Secretary, GUVNL
4	Shri Nilay D Joshi	COA(F&A)

- 6.27. It is also submitted by the Petitioner that aforesaid bids received from 10 bidders were opened in presence of Bid Evaluation Committee and also evaluated by said Committee. As per technical evaluation report of the said Committee, it is observed that all the 10 bids received were technically qualified and technical evaluation report signed by the Members of the Bid Evaluation Committee is filed by the Petitioner, which is reproduced below:

“Technical Bid Evaluation Report

RFS No. GUVNL/600 MW/SOLAR (Phase XVII) Dated 29.09.2022

Tender for Procurement of Power from 600 MW Grid Connected Solar Photovoltaic Power Projects to be set up in 600 MW Solar Park at Khavda (GSECL Stage 1) with Greenshoe Option of additional upto 600 MW

01st May 2023

1. Background

Gujarat Urja Vikas Nigam Limited (GUVNL) has floated the tender for procurement of power from 600 MW Grid connected Solar Photovoltaic Power Projects located in 600 MW Solar Park at Khavda (GSECL Stage 1) with Greenshoe Option of additional upto 600 MW through competitive bidding process (conducted through electronically facilitated online web based portal followed by reverse auction) as notified via RfS No. GUVNL/600 MW/Solar (Phase XVII) dated 29.09.2022. The tender was floated on 30.09.2022. The last date of online bid submission was 24.04.2023 and offline bid submission was 26.04.2023.

The Bid Evaluation Committee consist following members:

Sr. No.	Name	Designation
1	Shri H.N. Shah	General Manager, (RE)
2	Smt. Bhavani Ghattamaneni	Chief Finance Manager, (Trading)
3	Shri Parthiv Bhatt	Company Secretary
4	Shri Nilay Joshi	Controller of Accounts (F&A)

This report outlines the responses of all the bidders in respect of Non-Financial (technical) bid evaluation and recommendations of committee.

2. Details of Tender

RfS Reference No.	RfS No. GUVNL / 600 MW / Solar (Phase XVII) dated 29.09.2022.
Capacity	Total capacity of 600 MW Grid Connected Solar Photovoltaic power projects located in 600 MW solar park at Khavda (GSECL Stage 1) with Greenshoe Option of additional upto 600 MW
Minimum Bid Capacity	100 MW
Term of PPA	25 years from S.C.O.D.
Technology	Commercially established Solar Photovoltaic technology

3. Response to RFS

A total of 10 (Ten) responses for aggregate capacity of 2600 MW were received by GUVNL. The technical bids were opened on 27.04.2023 on e-bidding portal as per the tender timeline. The list of the bidders and the capacity offered is as below.

<i>SN</i>	<i>Bidders</i>	<i>MW</i>
1	ReNew Solar Power Private Limited	200
2	NHPC Limited	200
3	NLC INDIA Limited	200
4	GAIL INDIA Limited	100
5	NTPC Renewable Energy Limited	400
6	Gujarat Industries Power Company Limited	600
7	Tata Power Renewable Energy Limited	300
8	Solairedirect Energy India Private Limited	200
9	Solarcraft Power India 6 Private Limited	200
10	SJVN Green Energy Limited	200
	Total	2600

4. Principles of Evaluation

The approach to evaluation has been that all the bidders who qualify under the terms specified in the bidding documents, the financial bid of such qualified bidders shall be opened. Also, in case of a perceived non-responsiveness, clarifications are to be sought from the concerned bidders.

Following conditions relating to qualification requirements have been specified in the RFS documents –

Net worth:

i) The Net-Worth of the Bidder or its Affiliate or Parent/Ultimate Parent as on date of financial year ending 31.03.2021 or 31.12.2021 or 31.12.2022 as on latest available date as the case may be, shall not be less than INR 0.80 Crores per MW (of the capacity quoted).

ii) The net worth to be considered for the above purpose will be the cumulative net-worth of the bidding company or consortium together with the networth of those Affiliates of the bidder(s) that undertake to contribute the required equity funding and performance bank guarantees in case the bidder(s) fail to do so in accordance with the RfS.

iii) For avoidance of doubt, “net worth” as per section 2 (57) of the Companies Act 2013 means the aggregate value of the paid-up share capital and all reserves created out of the profits and securities premium account, after deducting the aggregate value of the accumulated losses, deferred expenditure and miscellaneous expenditure

not written off, as per the audited balance sheet, but does not include reserves created out of revaluation of assets, write-back of depreciation and amalgamation.

iv) For meeting the above financial eligibility criteria, if data is provided by the Bidder in USD / SAR, equivalent rupees of Net Worth and other financial parameters will be calculated by Bidder using Reserve Bank of India's reference rates prevailing on the date of closing of accounts for the respective financial year.

v) Pursuant to evaluation of Net Worth Criteria as part of technical bid, if it is found by GUVNL that the Bidder is eligible for lesser quantum than the quantum for which bid has been submitted, then the Bidder shall be qualified for such lesser quantum, provided that such quantum is not less than minimum bid capacity, i.e. 100 MW.

vi) In case the final audited accounts are not available, GUVNL shall accept the Provisional Accounts provided that an undertaking is submitted by the bidder confirming that Final Audited Annual Accounts for the last financial year are not available as on date of bid submission. Such financial accounts shall have to be certified by at least two Directors or One Director and the Company Secretary is submitted by the bidder.

vii) The companies which have recently raised funds and are not able to meet net-worth as per the Clause 3.4.4 (i) i.e. as 31.03.2022 or 31.12.2021 or 31.03.2021 then the certificate issued by a Chartered Accountant certifying net worth as on latest available date based on provisional Balance Sheet, Profit & Loss account, Schedules and cash flow statement supported with bank statement (if available) shall be required to be submitted.

5. Responsiveness Issues

On scrutiny of the bid documents submitted by participating bidders, responsiveness issues were observed in respect of bids submitted by M/s SJVN Green Energy Limited.

The bank Guarantee towards EMD submitted by Bidder was having validity upto period of 31.08.2023. However, as per the tender conditions, the BG towards EMD is required to be valid at least upto 24.10.2023. In this regard, a query was raised on e-bidding portal and in response M/s SJVN has uploaded the amendment to BG valid till

31.10.2023 towards EMD. Further, M/s SJVN has submitted requisite documents showing dispatch of BG amendment to GUVNL's office at Vadodara.

6. Evaluation of Responses

The Status in brief is indicated in the following table:

SN	Bidders	MW	Status
1	ReNew Solar Power Private Limited	200	Qualified
2	NHPC Limited	200	Qualified
3	NLC INDIA Limited	200	Qualified
4	GAIL INDIA Limited	100	Qualified
5	NTPC Renewable Energy Limited	400	Qualified
6	Gujarat Industries Power Company Limited	600	Qualified
7	Tata Power Renewable Energy Limited	300	Qualified
8	Solairedirect Energy India Private Limited	200	Qualified
9	Solarcraft Power India 6 Private Limited	200	Qualified
10	SJVN Green Energy Limited	200	Qualified
	Total	2600	

7. Way Forward

Based on the examination of records, the committee recommends that the Financial bids of above 10 (Ten) bidders may be opened.

Sr. No.	Name	Designation	Signature
1	Shri H.N. Shah	General Manager, RE	Sd/-
2	Shri Parthiv Bhatt	Company Secretary, GUVNL	Sd/-
3	Smt. Bhavani Ghattamaneni	Chief Finance Manager, Trading	Sd/-
4	Shri Nilay D Joshi	Controller of Accounts, F&A	Sd/-

From the Technical Evaluation Report, it is apparent that all the 10 bidders offering aggregate capacity of 2600 MW were found to be responsive and hence were deemed qualified for opening of their financial bids. Accordingly, as per the Technical Report of the Bid Evaluation Committee and recommendation after technical bid evaluation of all the 6 bidders to be technically qualified, the financial bids of all 10 bidders were opened on 03.05.2023 on e-bidding portal in presence of the Bid Evaluation Committee.

6.28. Further, as per the terms and conditions of the tender document, 7 bidders with aggregate capacity of 2100 MW were qualified against the tendered capacity of 500 MW apart from greenshoe option for the e-reverse auction and the Petitioner

accordingly conducted the e-reverse auction.

6.29. The following prices at CTU periphery were discovered at the closure of e-reverse auction that was held on the e-bidding portal and e- report generated at the Bharat-electronic tender's portal is also filed with the Petition:

Rank	Bidder's Name	Rate (Rs. / KWH)	Quoted Capacity (MW)	Eligible Capacity (MW)
L1	NHPC Limited	2.73	200	200
L2	SJVN Green Energy Limited	2.88	200	200
L3	NTPC Renewable Energy Limited	2.89	400	200
Total			800	600

6.30. The Petitioner also filed the Financial Evaluation report signed by the Members of the Committee with the Petition which is reproduced below:

"Financial Bid Evaluation Report

Ref: Tender for Procurement of 600 MW Grid Connected Solar Photovoltaic Power Projects located in 600 MW solar park at Khavda (GSECL Stage 1) with Greenshoe Option of additional upto 600 MW

03rd May 2023

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1. Background

Gujarat Urja Vikas Nigam Limited (GUVNL) intends to procure solar power of 600 MW through Competitive Bidding Process (conducted through electronically facilitated online web based portal followed by reverse auction) and additional capacity upto 600 MW under 'Green-shoe Option' as notified via GUVNL/600 MW/Solar (Phase XVII) dated 29.09.2022.

GUVNL had uploaded the tender documents (RfS and Draft PPA) on its own website as well as on the e-bidding portal of M/s ISN Electronic Tender Services Pvt. Ltd. (ISN-ETS)

GUVNL has constituted a committee comprising of the following members for opening and evaluation of the technical and financial bids:

Sr. No.	Name	Designation
1	Shri Nilay Joshi	Controller of Accounts (F&A)
2	Smt Bhavani Ghattamaneni	Chief Finance Manager, (Trading)
3	Shri Parthiv Bhatt	Company Secretary
4	Shri H N Shah	General Manager (RE)

This report outlines the Financial Bid Evaluation and recommendations of committee.

2. Financial Bid Opening

The Technical Bid Opening was done at 11:00 A.M. on 27.04.2023. Pursuant to the recommendations of the Committee vide the 'Technical Bid Evaluation Report', the Financial Bids (electronic forms) of below mentioned 10 (Ten) technically qualified Bidders were opened on the e-bidding portal of M/s ISN-ETS at 11:55 A.M. on 03.05.2023 before the Bid Evaluation Committee at GUVNL, Vadodara.

SN	Bidders	MW
1	ReNew Solar Power Private Limited	200
2	NHPC LIMITED	200
3	NLC INDIA LIMITED	200
4	GAIL INDIA LIMITED	100
5	NTPC RENEWABLE ENERGY LIMITED	400
6	GUJARAT INDUSTRIES POWER COMPANY LIMITED	600
7	TATA POWER RENEWABLE ENERGY LIMITED	300
8	Solairedirect Energy India Private Limited	200
9	SOLARCRAFT POWER INDIA 6 PRIVATE LIMITED	200
10	SJVN GREEN ENERGY LIMITED	200
	Total	2600

The members of the Bid Evaluation Committee scrutinized the electronic responses submitted by the Bidders and evaluated shortlisted bidders qualified for e-reverse auction in terms of the RfS.

3. Principles of Evaluation

As per the terms of the tender documents, the financial evaluation of the bids is to be one in accordance with the bid evaluation methodology specified in the RfS based on the tariff quoted by the Bidders in the Electronic Forms.

As per the terms of the RfS, the Total Eligible Bidders for e-reverse auction is to be decided as per illustration below:-

Assuming

T = Total number of techno-commercially qualified bidders,

S_T = Capacity of the total number of techno-commercially qualified bidders

S_K = Cumulative capacity till the 'kth serial number bidder (not the 'kth rank bidder) after ranking is done in ascending order from L1 onwards

SM = (Total capacity of techno-commercially qualified bidders after ranking is done in ascending order from L1 onwards) such that ($SM-1 < SE$ MW and $SM \geq SE$)

SE = Eligible Capacity for Award

S_E = (Eligible capacity for award)	(i) In case $S_T \leq 600$ MW; $S_E = 0.8 \times S_T$, (ii) In case $S_T > 600$ MW; $S_E = 0.8 \times S_T$, subject to maximum eligible capacity being 600 MW.
$N = \{$	T , if $T=m$ or $m+1$
	$m + (T-m)/2$, if $S_m \geq SE$ and $T-m$ is even
	$m + (T-m + 1)/2$, if $S_m \geq SE$ and $T-m$ is odd
Where m = Total number of technocommercially qualified bidders (after ranking is done in ascending order from L1 onwards) such that ($S_{m-1} < SE$ MW and $S_m \geq SE$) and $1 \leq m \leq T$	

4. Evaluation of shortlisted bidders qualified for e-RA

As per the terms of the tender documents, the Total Eligible Bidders shortlisted for e-reverse auction are as per details tabulated herein below: -

Financial Bid Opening dated 03.05.2023 Phase XVII				
Rank	Name of Bidder	Capacity (MW)	Rate (Rs. /Unit)	Status
L1	NHPC Limited	200	2.73	Qualified for E-RA
L2	SJVN Green Energy Limited	200	2.94	
L3	NTPC Renewable Energy Limited	400	3.00	
L4	Gujarat Industries Power Company Limited	600	3.08	
L5	Solairedirect Energy India Private Limited	200	3.20	
L6	Tata Power Renewable Energy Limited	300	3.22	
L7	NLC India Limited	200	3.24	
L8	ReNew Solar Power Private Limited	200	3.25	Disqualified
L9	Solarcraft Power India 6 Private Limited	200	3.47	
L10	GAIL India Limited	100	3.78	
Total		2600		

Based on the financial bid evaluation in terms of the RfS, the above mentioned 7 (Seven) no. of bidders aggregating to 2100 MW capacity are shortlisted for participating in the e-reverse auction.

5. Electronic – Reverse Auction:

The following tariffs discovered in the e-reverse auction are as follows:

Sr. No	Name of Bidder	Original Capacity Won (MW)	Tariff (Rs. /Unit)
L1	NHPC Limited	200	2.73
L2	SJVN Green Energy Limited	200	2.94
L3	NTPC Renewable Energy Limited*	400	3.00
	Total	600	

* NTPC Renewable Energy Limited has quoted 400 MW as Original Capacity and won 200 MW in E-RA.

6. Committee Recommendation:

In terms of Clause 10.2 of the MoP guidelines for the competitive bidding issued vide Notification dated 03.08.2017, it is certified that the Bid Evaluation Committee has critically evaluated the bids and that the bidding process and the evaluation has been conducted in conformity to the provisions of the RfS.

Sr. No.	Name	Designation	Signature
1	Shri Nilay Joshi	Controller of Accounts (F&A)	Sd/-
2	Smt. Bhavani Ghattamaneni	Chief Finance Manager (Trading)	Sd/-
3	Shri Parthiv Bhatt	Company Secretary	Sd/-
4	Shri H N Shah	General Manager (RE)	Sd/-

.....”

6.31. As per above, 7 bidders with aggregate capacity of 2100 MW qualified for e-reverse auction and the Petitioner had conducted e-reverse auction. We note that the Petitioner GUVNL after the conclusion of bidding process has also certifying that the Evaluation Committee constituted for evaluation of RfS bids has critically evaluated the bids and that the bidding process and the evaluation has been conducted in conformity to the provisions of the RfS.

6.32. In the E-Reverse auction of 03.05.2023 a report generated on the web-portal of Bharat-electronic tender is reproduced below:

S#	Bidder's Name	Quoted Value	Loaded Value	Date/Time of Bidding	Bidder's Quantity	Special Remarks	Difference in % (Bid- Value Vs Start-Price)
1	NHPC Limited (ETS-IN-2019-RS0000153)	2.73	2.73	03-May-2023 13:11:36 RTZ	200.00	Field Not Filled	0%
2	SJVN Green Energy Limited (ETS-IN-2022-RS0000261)	2.88	2.88	03-May-2023 15:31:20 RTZ	200.00	Field Not Filled	-5.49%

3	NTPC Renewable Energy Limited (ETS-IN-2021-RS0000051)	2.89	2.89	03-May-2023 15:28:12 RTZ	400.00	Field Not Filled	-5.86%
4	Solairedirect Energy India Private Limited (ETS-IN-2022-RS0000150)	2.99	2.99	03-May-2023 15:12:02 RTZ	200.00	Field Not Filled	-9.52%
5	Gujarat Industries Power Company Limited (ETS-IN-2022-RS0000065)	3.08	3.08	03-May-2023 13:11:36 RTZ	600.00	Field Not Filled	-12.82%
6	Tata Power Renewable Energy Limited (ETS-IN-2022-RS0000078)	3.22	3.22	03-May-2023 13:11:36 RTZ	300.00	Field Not Filled	-17.95%
7	NLC India Limited (ETS-IN-2020-RS0000019)	3.24	3.24	03-May-2023 13:11:36 RTZ	200.00	Field Not Filled	-18.68%

6.33. It can be observed from above table that at the end of E-Reverse auction, the quoted tariff value and quantum in MW of 7 (Seven) bidders i.e., (i) NHPC Limited, (ii) SJVN Green Energy Limited, (iii) NTPC Renewable Energy Limited, (iv) Solairedirect Energy India Private Limited, and (v) Gujarat Industries Power Company Limited, (vi) Tata Power Renewable Energy Limited and (vii) NLC India Limited is as per result generated at the closure of E-Reverse Auction on e-bidding portal for 2100 MW. Moreover, as per above ranking, the total offered/bidder capacity by (i) NHPC Limited of 200 MW at the tariff of Rs. 2.73 per unit, (ii) SJVN Green Energy Limited of 200 MW at the tariff of Rs. 2.88 per unit, (iii) NTPC Renewable Energy Limited of 400 MW at tariff of Rs. 2.89 per unit (iv) Solairedirect Energy India Private Limited of 200 MW at the tariff of Rs. 2.99 per unit, (v) Gujarat Industries Power Company Limited of 600 MW at the tariff of Rs. 3.08 per unit, (vi) Tata Power Renewable Energy Limited of 300 MW at the tariff of Rs. 3.22 per unit and (vii) NLC India Limited of 200 MW at the tariff of Rs. 3.24 per unit works out to 2100 MW. However, since the tender was for base capacity of 600 MW, allocation of said capacity was to be for 600 MW only and hence in case of NTPC Renewable Energy Limited, there is partial capacity allocation of 200 MW against quoted quantum of 400 MW with quoted tariff of Rs. 2.89 per unit in terms of the RfS document. Accordingly, the Petitioner has stated in para 20 of the Petition as under:

Rank	Bidder's Name	Rate (Rs. / KWH)	Quoted Capacity (MW)	Eligible Capacity (MW)
L1	NHPC Limited	2.73	200	200
L2	SJVN Green Energy Limited	2.88	200	200
L3	NTPC Renewable Energy Limited	2.89	400	200
Total			800	600

6.34. Against the quoted capacity of 400 MW allocation of partial base capacity of 200 MW with quoted tariff of Rs. 2.89 per unit in case of NTPC Renewable Energy Limited is undertaken by the Petitioner in accordance with Clause 4.4 of the RfS document. The said Clause 4.4 of the RFS document pertains to 'Selection of Successful Bidders' and pertains to partial capacity allocation. It is therefore, necessary to refer Clause 4.4 of the RFS documents which reads as under:

“

4.4 Selection of Successful Bidders

4.4.1 (not used)

4.4.2 The lowest quoting bidder will be allotted its qualified project capacity and then, next higher bidder will be allotted its qualified project capacity and so on, till the total capacity is exhausted.

4.4.3 In case of the last selected bidder, if the balance project capacity is less than the total project capacity mentioned by the bidder, then the balance capacity shall be awarded to the bidder till the total capacity is exhausted subject to a minimum allocation of 25 MW. Provided that, in case the partial capacity (balance capacity till the total capacity on offer is exhausted) offered to the last Bidder after completion of the e-reverse auction is lower than 50% of the total quoted capacity by such Bidder, the Bidder shall have an option to refuse such offered partial capacity within seven days of issuance of Letter of Award and the BG against EMD submitted by such Bidder shall be returned alongwith those of the unsuccessful Bidder.

Further, in case the partial capacity offered is greater than or equal to 50% of the total quoted capacity by such Bidder, then it shall be mandatory for the last Bidder to accept such partial capacity offered against its quoted capacity, subject to the total cumulative capacity awarded after e-RA to the successful Bidders not exceeding 500 MW. In case the last bidder refuses to accept such partial capacity offered by GUVNL, the Bank Guarantee against EMD submitted by such Bidder shall be encashed by GUVNL.

.....

4.4.6 At the end of selection process, GUVNL will have right to decide on the issuance

of LOA to the successful bidders or any of them based on consideration of price discovered. In case of Consortium being selected as Successful Bidder, the issuance of LOA shall be to the Lead Member of the Consortium.

In all cases, GUVNL's decision regarding selection of bidder through Reverse Auction or otherwise based on tariff or annulment of tender process shall be final and binding on all participating bidders.

Also, GUVNL reserves the right to short close the capacity lower than 500 MW at its discretion, if the prices are abruptly high. Additionally, the discretion to allot or not to allot the additional upto 500 MW capacity under Greenshoe option shall be vested solely with GUVNL.

.....”

6.35. We also note that tender floated by the Petitioner also provides the provisions for allocating additional 600 MW capacity under Greenshoe Option at L1 tariff to organisations owned / controlled by Government of Gujarat who have participated in the tender for setting up the solar projects in any solar park at Khavda developed by the Gujarat Government owned or controlled organizations under Mode 8 of UMREPP Guidelines and no organization owned/ controlled by Government of Gujarat except Gujarat Industries Power Company Limited (GIPCL) has participated in the tender. Therefore, the Petitioner GUVNL vide letter dated 04.05.2023 had requested GIPCL to convey their willingness for availing 600 MW capacity under Greenshoe Option at L1 tariff of Rs. 2.73 / unit. In response to the same, GIPCL vide letter dated 04.05.2023 has given their consent for 600 MW Greenshoe Capacity at tariff of Rs 2.73 / unit to be set up in their own Solar Park at Khavda being developed under Mode 8 of UMREPP Guidelines. After taking into consideration the Base Capacity of 600 MW at Rs 2.73 – 2.89 / unit and Greenshoe Capacity of 600 MW at Rs 2.73 / unit, the weighted average tariff for 1200 MW capacity works out to Rs 2.7817 / unit at CTU Periphery and after considering the impact of 4% transmission losses to the tune of 11-12 paisa / unit, the landed tariff at GETCO Periphery works out in the range of Rs 2.84 – 3.01 / unit with weighted average rate of Rs 2.8929 / unit.

6.36. Accordingly, the Petitioner GUVNL has issued Letter of Intents (LoIs) to L1, L2, and L3 Bidders at the tariff of Rs. 2.73-2.89 per unit and additional 600 MW capacity under

Greenshoe Option at L1 tariff of Rs. 2.73/unit. In view of above, the total allotment of 1200 MW capacity under the tender is as under:

Rank	Bidder's Name	Capacity (MW)	Tariff (Rs./ Unit) at CTU Periphery
L1	NHPC Limited	200	2.73
L2	SJVN Green Energy Limited	200	2.88
L3	NTPC Renewable Energy Limited	200	2.89
Greenshoe Option	Gujarat Industries Power Company Limited	600	2.73
Total		1200	

- 6.37. We also note that the Petitioner has issued Letters of Intent (LoIs) to the above successful bidders on 16.05.2023 for total capacity of 1200 MW as mentioned in the above table at the corresponding rates. We further note that as per terms and conditions of tender, the PPAs are to be signed with above successful bidders within 30 days from issuance of LOIs unless extended as per RfS and that the Petitioner has also mentioned in the LoIs that PPAs shall be signed with successful bidders or its SPV only after the approval of the Commission (GERC) and in accordance with such approval.
- 6.38. We note that as per Clause 10.2 of the 'Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects' issued by the Ministry of Power, Government of India, after the conclusion of bidding process, the Evaluation Committee constituted for evaluation of RfS bids has to certify as appropriate that the bidding process and the evaluation has been conducted in conformity to the provisions of the RfS. As already noted above, the Petitioner in compliance to aforesaid clause has certifying that the Committee has critically evaluated the bids and that the bidding process and the evaluation has been conducted in conformity to the provisions of the RfS.
- 6.39. In view of the foregoing, the Commission is satisfied with the entire tendering process including the e-reverse bidding conducted by the Petitioner in a transparent manner and discovered tariff of successful bidders with quoted capacity and allocated capacity to them as stated above.
- 6.40. The Commission, therefore, decides to adopt the above discovered tariff as mentioned

above to four bidders, viz., (i) NHPC Limited, (ii) SJVN Green Energy Limited, and (iii) NTPC Renewable Energy Limited for allocated capacity at their respective corresponding tariff as above including Greenshoe capacity allotted to Gujarat Industries Power Company Limited at L-1 tariff of Rs. 2.73 per unit of Solar PV projects located in 600 MW Solar Park at Khavda (GSECL Stage 1), as prayed by the Petitioner GUVNL.

7. We note that though the LoIs have been issued to the successful bidders but the PPAs are yet to be signed by the Petitioner with the successful bidders although the Petitioner has filed Draft PPA with the Petition to be executed with the successful bidders. We also note that the Petitioner has in the present Petition has submitted that as per terms and conditions of tender, the successful Bidders are required to sign PPA with the Petitioner GUVNL within 30 days from the date of issuance of LoIs and subsequent extension in this timeline, if any, may be finalized and agreed by the Petitioner. Therefore, as the Petitioner has issued the LoIs to all the successful bidders on 16.05.2023 but PPAs are yet to be executed with such successful bidders, the Petitioner is directed to execute the PPAs with the successful bidders as per decision in this Order. We note that the Petitioner is also required to submit the copy of the signed PPAs and therefore, the Petitioner is directed to submit copies of duly executed PPAs to the Commission alongwith an affidavit stating that the Articles/provisions of the PPAs executed are as per the directions as stated above, provisions of Act, Rules, bidding guidelines and deviations approved by the Commission from time to time and that there are no other deviations taken by the Petitioner in the bidding documents other than those earlier approved by the Commission. We also direct the Petitioner that for the purpose of transparency, after execution of the PPAs, to publicly disclose the name (s) of the successful bidder(s) and the tariff quoted by them together with the breakup with the component, for 30 days on its website in terms of Clause 10.3 of the bidding guidelines as amended for knowledge and information of the stakeholders.

8. SUMMARY OF DECISIONS:

- 8.23. We decide to adopt the tariff discovered under the competitive bidding process conducted by the Petitioner through RfS No. GUVNL/600 MW/Solar (Phase XVII)

dated 29.09.2022 issued by the Petitioner GUVNL for procurement of power from 600 MW Grid Connected Solar photovoltaic power projects located in 600 MW Solar Park at Khavda (GSECL Stage 1) with Greenshoe option of additional upto 600 MW as under:

Rank	Bidder's Name	Capacity (MW)	Tariff (Rs./ Unit) at CTU Periphery
L1	NHPC Limited	200	2.73
L2	SJVN Green Energy Limited	200	2.88
L3	NTPC Renewable Energy Limited	200	2.89
Greenshoe Option	Gujarat Industries Power Company Limited	600	2.73
Total		1200	

- 8.24. Apart from the directives of the Commission in this Order, the Petitioner to sign the Power Purchase Agreement(s) with the successful bidders with allocated capacity and tariff as per above table.
- 8.25. We direct the Petitioner to submit the copies of duly executed PPAs to the Commission alongwith an affidavit stating that the Articles/provisions of the PPAs executed are as per the directions as stated above, provisions of Act, Rules, bidding guidelines and deviations approved by the Commission from time to time and that there are no other deviations taken by the Petitioner in the bidding documents other than those earlier approved by the Commission. We also direct the Petitioner that for the purpose of transparency, after execution of the PPAs, publicly disclose the name(s) of the successful bidder(s) and the tariff quoted by them together with the breakup with the component, for 30 days on its website in terms of Clause 10.3 of the bidding guidelines as amended for knowledge and information of the stakeholders.
9. Order accordingly.
10. With this order the present Petition stands disposed of.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Sd/-
[Anil Mukim]
Chairman

Place: Gandhinagar.
Date: 31/07/2023.