

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
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Case No. 190 of 2023

MSEDCL's Petition for approval and adoption of tariff determined through transparent bidding process for procurement of short-term power for the period 01 October 2023 to 31 October 2023 & 01 March 2024 to 31 May 2024 and approval to increase ceiling rate for short term power purchase.

Maharashtra State Electricity Distribution Co. Ltd.

...Petitioner

Coram

Sanjay Kumar, Chairperson
Anand M. Limaye, Member
Surendra J. Biyani, Member

Appearance:

For the Petitioner

: Mr. Anup Jain (Adv.)
: Mr. Dinesh Agarwal (Rep.)

ORDER

Date: 22 November 2023

1. Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) has filed the present Case on 22 September 2023 under Sections 63 of the Electricity Act, 2003 (EA, 2003) read with Ministry of Power's Guidelines dated 30 March 2016 for short term Procurement of Power by Distribution Licensees through Tariff based bidding process and Regulation 106 of the MERC (MYT) Regulations 2019 seeking approval for Tariff discovered through Competitive Bidding for Short -Term bilateral Power Purchase for 01 October-23 to 31 October-23 and 01-March-24 to 31-May-24. Further, MSEDCL has sought increase in ceiling rate for short term power purchase as specified by the Commission in its MTR Order dated 31 March 2023 in Case No. 226 of 2022.

2. **Main prayers of MSEDCL are as follows:**

“

- 9.2 *To accord approval for Short Term power purchase tenders, ET-109 and ET-113, floated on Deep E-Bidding Portal for procurement of RTC power for 16.09.2023 to 31.10.2023, 01.02.2024 to 31.05.2024.*
- 9.3 *To accord approval for adoption of tariff discovered in Short Term power purchase tender floated on Deep E-Bidding Portal for procurement of RTC power for 01.10.2023 to 31.10.2023 and 01.02.2024 to 31.05.2024 as provided in Table-I at para 5.5.*
- 9.4 *To meet out the demand supply gap, Hon'ble Commission may accord in principle approval for short term power purchase at higher rate than the ceiling rate approved by Hon'ble commission over the 4th Control period vide Order dated 30th March 2023.*
- 9.5 *The Hon'ble Commission may fix an appropriate ceiling rate for purchase of short term power based on the prices discovered on DEEP portal through e-bidding for short term purchase as submitted in this Petition.*
- 9.6 *To consider the submission made by the Petitioner and consider the same positively while deciding the Petition;*
- 9.7 *To condone any error/omission and to give opportunity to rectify the same;*
- 9.8 *To conduct an early hearing on this matter in the earliest possible time as the clause stipulated for LOA issuance in the tender documents of ET-109 and ET-113 (Para 4.7) is 30 days from the close of E-Reverse Auction i.e. LOA is to be issued before 09th October-2023 and 10th October-2023 for short term tender ET-109 and ET-113*
...”

3. **MSEDCL in its Petition has stated as follows:**

3.1. In present Petition, MSEDCL is seeking approval for Short Term power purchase (RTC basis) for the months of 01 October 2023 to 31 October 2023 and 01 March 2024 to 31 May 2024.

3.2. **MSEDCL's power Position in October-2023 and March-2024 to May-2024:**

October-2023:

3.2.1 In the current year, below normal monsoon is observed in Maharashtra due to EL-NINO effect. Further as per the information available on weather forecasting sites, there is less rainfall predicted in the month of October 2023. Hence, MSEDCL is anticipating increase in demand in the month of October 2023, due to October heat effect.

3.2.2 Due to continuous dry spell in August 2023, proposed Annual Maintenance/Overhauling (AOH) of Central Sector units were postponed in the month of September 2023 and October 2023, hence @ 500 MW generation from central sector may not be available for the month of October 2023.

March-2023 to May-2023

3.2.3 In the months from March to May, MSEDCL's demand increases due to summer seasons. Hence, to cater this increased demand, all the contracted generators are required to take on bar. Further, from the last two years' experience it is observed that the generation availability from contracted generators is less and not sufficient to meet the rising peak summer season demands. Hence, in order to cater the demand, additional power had been procured from the market and/or through short term tender.

3.2.4 In the year 2022, during the month of March-22 to May-22, MSEDCL's peak demand was recorded @ 25144 MW and due to the coal shortage scenario; there was shortfall of around 3000 MW capacity from the contracted generating sources. Furthermore, coal stock with major MAHAGENCO generating stations and IPPs was at critical level. Due to shortfall in generation availability, Hydro was utilized at its full capacity to cater the increased demand. Further additional power was also procured through power exchanges at available rates to supply continuous power to consumers.

3.2.5 In present year in the months of March-23 to May-23, the peak demand was recorded @ 24893 MW. With the advance measures for power planning, MSEDCL had floated short term tender and procured 400 MW RTC power at the discovered rate of Rs. 7.44 to 7.85 per unit for the mentioned period. Further MSEDCL has also executed a banking arrangement of @ 300 to 500 MW with other utilities for this period. This helped MSEDCL to cater the summer season demand smoothly without any load curtailment.

3.2.6 As per historical trend, demand during the months of March to May is on higher side due to the summer season heat effect. A Similar trend is expected to be seen in the coming summer season of Mar 2024 to May 2024.

3.2.7 Due to lower rainfall witnessed in the current monsoon season, Koyna dam water storage is only @ 80% of its capacity; which under normal rainfall overflows till the end of August. Hence in current water year there may be the possibility of having restrictions on the utilization of Koyna water for generation during coming summer season.

3.2.8 Further, MSEDCL has floated two banking tenders for import of power during October-2023 and March- 2024 to May 2024 months; however, there is no response to the banking tender till date.

3.3. Expected Demand-Supply Position for October-23 and March-24 to May-24

3.3.1 Expected Generation availability:

The projection of Generation availability is done based on following:

- (i) The Thermal generation availability is projected based on the actual historical availability of the stations excluding the period of COVID-19 and Coal Shortfall so that the effect of planned outages/forced outages, de-rated capacity of units is captured for forecasting the Generation Availability from contracted thermal generators.
- (ii) Presently, CGPL is supplying power under Section 11 as per directives of Ministry of Power. The power supply under Section 11 is applicable up to October-2023. It is assumed that the Ministry of Power may extend the directives to generating companies for power supply under Section 11 till May-2024. Accordingly, availability of power from CGPL is considered till May-2024.
- (iii) The generation availability considered for thermal generators is as under:

Source/Month	October-23		March-24		April-24		May-24	
	% Availability Considered	MW	% Availability Considered	MW	% Availability Considered	MW	% Availability Considered	MW
MSPGCL	72%	6876	82%	7836	80%	7646	79%	7581
Uran Gas		262		262		262		262
NTPC	94%	4763	96%	4877	98%	4955	96%	4853
NPCIL	76%	669	76%	669	76%	669	76%	669
IPP - JSW	96%	278	100%	290	100%	290	96%	278
Mundra UMPP	76%	578	85%	646	90%	684	90%	684
APML Tiroda	90%	2777	98%	3011	98%	3011	98%	3011
EMCO Power	95%	191	100%	200	100%	200	100%	200
Rattanindia Amravati	95%	1140	100%	1200	100%	1200	100%	1200
Sai Wardha power	90%	216	100%	240	100%	240	100%	240
Total		17749		19231		19157		18978

- (iv) MSEDCL has planned the utilization of allocated Koyna TMC for Koyna Hydro Generation, over the water year i.e. from June to May months. Similarly, in the current water year, based on the peak season power requirement, MSEDCL has planned the utilization of Koyna generation from June-23 to May-24 month and accordingly the

Koyna generation availability is considered in respective month for the power planning. However, as in current year, due to less rainfall, there may be possibility of restrictions on the utilization of Koyna Hydro Generation.

3.3.2 Expected Demand:

- (i) For projection of average hourly demand, the average of CAGR of each hour is calculated from the hourly average demand of each month based on the hourly demand data for the period 2017 to 2023. However, as per the historical average demand pattern in some year's intermittent abnormal demand rise/drop was observed and same is normalized based on the normal demand trend.
- (ii) Sometimes in intermittent year, in the month of October, unexpected demand rise was observed which led MSEDCL to procure power from Market to cater the increased demand. Further, in the current year due to the continuous dry spell during August-23, MSEDCL's demand was on higher side, and it was @ 16% to 20% higher than the last year's demand of same month.
- (iii) By considering the less than normal monsoon predicted by IMD in the current year and till date rainfall in some of the districts of western Maharashtra deficits @ 40 to 45% than the normal rainfall. Considering this the demand is estimated for October-23 with @ 15% to 16% rise over the last year's demand of October-22.
- (iv) Further, to project a realistic demand for the power supply position, it is necessary to account the effect of the peak demand over the average demand. Hence, to arrive at this demand, the ratio of Peak demand and Average demand is calculated hour-wise for each month from 2017 to 2023 and the average of the same is considered for projection of demand.
- (v) The expected demand for the month Oct-2023 and March-24 to May-24 is as below:

(In MW)

Month	October-23	March-24	April-24	May-24
1	19846	23162	23869	24408
2	19825	23163	23896	23867
3	19946	23182	23774	23548
4	20087	23162	23837	23125
5	20724	23147	24108	23375
6	21575	23540	24297	23423
7	22055	23666	24313	23017
8	22334	23475	23988	22696
9	22300	23444	24272	23033

Month	October-23	March-24	April-24	May-24
10	22712	24386	25208	24073
11	23209	25402	26117	24587
12	23094	25683	26338	24960
13	22696	25241	25916	24762
14	22488	24909	25599	24646
15	23021	25147	25886	24973
16	23002	24948	25705	24573
17	22135	23840	25008	23908
18	21637	22845	24208	23302
19	21925	22259	23823	23119
20	22023	23029	24564	23571
21	20784	22202	23623	23253
22	20126	21843	23198	23018
23	20113	22290	23385	23854
24	19832	22530	23663	24216

- (vi) Considering the expected demand and expected availability from the contracted sources (including Koyna Hydro generation as per yearly TMC utilization plan), the hour-wise expected surplus (+)/shortfall (-) is provided in as below:

(In MW)

Hrs	Oct-23	Mar-24	Apr-24	May-24
1	-584	-1014	-1248	-1456
2	-572	-1011	-1252	-1482
3	-693	-1016	-1141	-1217
4	-845	-993	-1203	-843
5	-1504	-966	-1480	-1122
6	-1832	-1327	-1680	-1206
7	-1460	-1300	-1621	-1272
8	-1317	-813	-1268	-807
9	-824	-747	-731	-479
10	-622	-753	-721	-433
11	-1156	-1022	-852	-442
12	-844	-970	-883	-472
13	-517	-638	-846	-286
14	-471	-618	-451	-331
15	-1372	-963	-790	-1012
16	-1390	-1176	-1088	-1266
17	-1265	-946	-1109	-1059
18	-1424	-802	-1115	-1312
19	-1422	-791	-1135	-1318
20	-1504	-1012	-1550	-1285
21	-1585	-343	-1080	-1349
22	-914	-455	-1089	-1113
23	-849	-681	-1101	-1368
24	-536	-711	-1427	-1442

- (vii) The abstract of expected maximum demand, availability and shortfall during night, morning, day and evening peak is as below:

Months	NP (22 to 6 hrs)			MP (6 to 10 hrs)			DP (10 to 18 hrs)			EP (18 to 22 hrs)		
	Demand	Availability	Shortfall	Demand	Availability	Shortfall	Demand	Availability	Shortfall	Demand	Availability	Shortfall
Oct-23	21575	19743	-1832	22712	21468	-1244	23209	22053	-1156	22023	20018	-2004
Mar-24	23540	22213	-1327	24386	23633	-753	25683	24713	-970	23029	22017	-1012
Apr-24	24297	22618	-1680	25208	24288	-921	26338	25155	-1183	24564	23114	-1450
May-24	24408	22202	-2206	23788	23640	-148	24723	23960	-763	23571	22086	-1485

3.4. Plans to mitigate the shortfall and short-term tender thereof.

- 3.4.1 MSEDCL had participated in the power banking tender floated by Punjab State power Corporation Ltd (PSPCL), wherein MSEDCL intended to supply power to PSPCL during the months from July-23 to September-23 and in return PSPCL shall supply the banked power to MSEDCL in the months from March-24 to May-24. However, PSPCL has not issued any LOI in this tender.
- 3.4.2 MSEDCL also participated in the banking tender floated by BSES Rajdhani power Ltd (BRPL), wherein MSEDCL shall import the power in the month of March-24 and the banked power will be returned to BRPL in the month of July-24. However, till date BRPL has not issued any LOI to MSEDCL.
- 3.4.3 MSEDCL also floated a tender for banking of power dated 18 July 2023 wherein MSEDCL shall supply the power to other utility in the months from July-23 to September-23 and in return other utility shall supply the banked power to MSEDCL in the months from March-24 to May-24. However, there was no response to the tender.
- 3.4.4 Due to the no-response to the earlier banking tender, MSEDCL floated another tender for banking of power dated 24 August 2023 with same conditions. However, till date, there was no response to the said tender. The date of bid submission is extended further.
- 3.4.5 In view of the expected power supply position in the month of September-23, October-23, February-24 to May-24, MSEDCL had floated two short term power purchase tenders ET-109 and ET-113 on DEEP E-bidding portal as per MoP guidelines.
- 3.4.6 The requisitions for the month of September-23 and February -23 were added in the tender in anticipation of the lower rates and procurement of power for replacement of costly power from contracted long-term generators i.e. for optimization of power purchase cost. The detailed requisitions in the tenders are as below:

ET-109

Req.	Period	Timings (Hour)	Quantum in (MW)	Minimum Bid Quantity (in MW)
1	16.09.2023 to 30.09.2023	00:00 to 24:00	300	100
2	01.10.2023 to 15.10.2023	00:00 to 24:00	300	100
3	16.10.2023 to 31.10.2023	00:00 to 24:00	300	100
4	01.02.2024 to 29.02.2024	00:00 to 24:00	200	100
5	01.03.2024 to 31.03.2024	00:00 to 24:00	500	100
6	01.04.2024 to 30.04.2024	00:00 to 24:00	500	100
7	01.05.2024 to 31.05.2024	00:00 to 24:00	500	100
8	16.03.2024 to 31.03.2024	00:00 to 08:00 & 16:00 to 24:00	300	100
9	01.04.2024 to 15.04.2024	00:00 to 08:00 & 16:00 to 24:00	300	100
10	16.04.2024 to 30.04.2024	00:00 to 08:00 & 16:00 to 24:00	300	100
11	01.05.2024 to 15.05.2024	00:00 to 08:00 & 16:00 to 24:00	300	100

ET-109				
Req.	Period	Timings (Hour)	Quantum in (MW)	Minimum Bid Quantity (in MW)
1	16.09.2023 to 30.09.2023	00:00 to 24:00	500	25
2	01.10.2023 to 15.10.2023	00:00 to 24:00	500	25
3	16.10.2023 to 31.10.2023	00:00 to 24:00	500	25
4	01.02.2024 to 29.02.2024	00:00 to 24:00	300	25
5	01.03.2024 to 31.03.2024	00:00 to 24:00	500	25
6	01.04.2024 to 30.04.2024	00:00 to 24:00	500	25
7	01.05.2024 to 31.05.2024	00:00 to 24:00	500	25

3.4.7 The short-term tenders ET-109 and ET-113 were opened as per scheduled on 11 September 2023 and 12 September 2023 respectively and all the participating bidders in both the tenders were found eligible. The reverse auction of both the tenders was conducted on the same day of tender opening.

3.4.8 After the completion of E-Reverse Auctions (e-RA) of both the tenders, MSEDCL further requested via e-mail to the successful bidders in the bucket filling, to convey their best offer against the final rate quoted/discovered in the e-RA. In response the successful bidders of both the tenders informed their best offers via e-mail.

3.4.9 After following the due process and after E-Reverse auction, the rates discovered in the tender is as below:

Sr. No	Period	Timings (Hours)	Tender No	Tender Qtm in (MW)	Discovered Rate (in e-RA) (Rs/Unit)	Qtm (MW)	Offered Rate (Rs/Unit)	Offered Qtm (MW)	Bidders	Source Generators
1	16.09.2023 to 30.09.2023	00:00 to 24:00	ET-113	500	10.00	150	10.00	150	TPTCL/74243	1200 MW Anuppur Thermal Power Plant, Madhya Pradesh
2	01.10.2023 to 15.10.2023	00:00 to 24:00	ET-113	500	7.70	50	7.70	50	TPTCL/74174	JPL Shirpur Power Plant
					7.70	60	7.70	70	TPTCL /74187	Nava Bharat Energy India Limited (NBEIL)
					7.70	100	7.70	100	TPTCL/74242	ACB (India) Limited, Bilaspur ,Chhattisgarh
					7.80	100	7.80	100	TPTCL/74243	1200 MW Anuppur Thermal Power Plant, Madhya Pradesh
					8.05	100	8.05	100	TPTCL /74185	Jindal Power Limited (JPL)
					8.30	50	8.25	50	PTC India Limited/74490	JSW - Ratnagiri Maharashtra
			8.86	40	8.80	40	PTC India Limited/74489	JSW - Vijaynagar Karnayaka		
			ET-109	300	8.70	100	8.70	100	NVVNL/188996	Jaypee Nigrie Supercritical Thermal Power Plant (JNSTPP), Madhya Pradesh
					8.70	100	8.70	100	TPTCL/74212	Jindal Power Limited (JPL)
10.00	100	9.80			100	Manikaran/78172	DB Power Limited Baradarha, Janjgir Champa District, Chhattisgarh			
3	16.10.2023 to 31.10.2023	00:00 to 24:00	ET-113	500	7.70	25	7.70	25	Manikaran /79173	BLA Power Private Limited, Narsinghpur, Madhya Pradesh-487551
					7.70	50	7.70	50	TPTCL/74174	JPL Shirpur Power Plant
					7.70	50	7.70	50	TPTCL/74188	Simhapuri Energy Limited (SEL)
					7.70	60	7.70	70	TPTCL /74187	Nava Bharat Energy India Limited (NBEIL)
					7.70	100	7.70	100	TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
					7.70	45	7.70	45	TPTCL/74244	Nava Bharat Ventures Limited- Odisha IPP (NBVL-IPP), Odisha
					7.70	25	7.60	50	IDEAL ENERGY PROJECTS LTD/395841	Ideal Energy Nagpur
					7.80	100	7.80	100	TPTCL/74243	1200 MW Anuppur Thermal Power Plant, Madhya Pradesh
					8.05	45	8.05	45	TPTCL /74185	Jindal Power Limited (JPL)
			ET-109	300.00	8.16	300	7.52	300	NVVNL/74826	IL&FS Tamil Nadu power Company Limited (ITPCL), Cuddalore, Tamil Nadu
4	01.02.2024 to 29.02.2024	00:00 to 24:00	ET-113	300	7.92	100	7.92	100	TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
					7.92	50	7.92	50	TPTCL/74188	Simhapuri Energy Limited (SEL)
					7.92	100	7.92	100	TPTCL/74174	JPL Shirpur Power Plant

Sr. No	Period	Timings (Hours)	Tender No	Tender Qtm in (MW)	Discovered Rate (in e-RA) (Rs/Unit)	Qtm (MW)	Offered Rate (Rs/Unit)	Offered Qtm (MW)	Bidders	Source Generators
5	01.03.2024 to 31.03.2024	00:00 to 24:00	ET-109	200	7.92	25	7.92	50	TPTCL /77617	SEIL Energy India Ltd-Project 2 (SEIL - P2)
					7.92	25	7.81	50	IDEAL ENERGY PROJECTS LTD/395841	Ideal Energy Nagpur
					8.70	100	8.70	100	NVVNL/188996	Jypee Nigrie Supercritical Thermal Power Plant (JNSTPP), Madhya Pradesh
					8.70	100	8.70	100	TPTCL/74212	Jindal Power Limited (JPL)
			ET-113	500	7.71	100	7.71	100	TPTCL/74174	JPL Shirpur Power Plant
					7.71	50	7.71	50	TPTCL/74188	Simhapuri Energy Limited(SEL)
					7.71	100	7.71	100	TPTCL/74242	ACB (India) Limited, Bilaspur ,Chhattisgarh
					7.71	35	7.71	35	PTC India Limited/74491	Dhariwal Maharashtra
7.71	25	7.64			50	IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Nagpur			
7.90	25	7.90			50	TPTCL /77617	SEIL Energy India Ltd-Project 2 (SEIL - P2)			
8.05	100	8.05			100	TPTCL /74185	Jindal Power Limited (JPL)			
8.50	50	8.40			50	PTC India Limited/74490	JSW - Ratnagiri Maharashtra			
ET-109	500	8.99	15	8.90	15	PTC India Limited/74489	JSW - Vijaynagar Karnayaka			
		8.53	300	8.45	300	NVVNL/74826	IL&FS Tamil Nadu power Company Limited (ITPCL), Cuddalore, Tamil Nadu			
		8.53	100	8.53	100	NVVNL/188996	Jaypee Nigrie Supercritical Thermal Power Plant (JNSTPP), Madhya Pradesh			
		8.54	100	8.54	100	TPTCL/74212	Jindal Power Limited (JPL)			
		7.73	100	7.73	100	TPTCL/74174	JPL Shirpur Power Plant			
6	01.04.2024 to 30.04.2024	00:00 to 24:00	ET-113	500	7.73	50	7.73	50	TPTCL/74188	Simhapuri Energy Limited(SEL)
					7.73	100	7.73	100	TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
					7.73	60	7.73	60	PTC India Limited/74491	Dhariwal Maharashtra
					7.73	25	7.65	50	IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Nagpur
					7.90	25	7.90	50	TPTCL /77617	SEIL Energy India Ltd-Project 2 (SEIL - P2)
					8.05	100	8.05	100	TPTCL /74185	Jindal Power Limited (JPL)

Sr. No	Period	Timings (Hours)	Tender No	Tender Qtm in (MW)	Discovered Rate (in e-RA) (Rs/Unit)	Qtm (MW)	Offered Rate (Rs/Unit)	Offered Qtm (MW)	Bidders	Source Generators
7	01.05.2024 to 31.05.2024	00:00 to 24:00	ET-109	500	8.50	40	8.40	40	PTC India Limited/74490	JSW - Ratnagiri Maharashtra
					8.54	225	8.45	225	NVVNL/74826	IL&FS Tamil Nadu power Company Limited (ITPCL), Cuddalore, Tamil Nadu
					8.54	100	8.54	100	TPTCL/74212	Jindal Power Limited (JPL)
					8.70	100	8.70	100	NVVNL/188996	Jaypee Nigrie Supercritical Thermal Power Plant (JNSTPP), Madhya Pradesh
			ET-113	500	7.75	100	7.75	100	TPTCL/74174	JPL Shirpur Power Plant
					7.75	50	7.75	50	TPTCL/74188	Simhapuri Energy Limited (SEL)
					7.75	100	7.75	100	TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
					7.75	60	7.75	60	PTC India Limited/74491	Dhariwal Maharashtra
					7.75	25	7.66	50	IDEAL ENERGY PROJECTS LTD/395841	Ideal Energy Nagpur
					7.90	25	7.90	50	TPTCL /77617	SEIL Energy India Ltd-Project 2 (SEIL - P2)
					8.05	100	8.05	100	TPTCL /74185	Jindal Power Limited (JPL)
					8.50	40	8.40	40	PTC India Limited/74490	JSW - Ratnagiri Maharashtra
					ET-109	500	8.54	225	8.45	225
8.54	100	8.54	100	TPTCL/74212			Jindal Power Limited (JPL)			
8.70	100	8.70	100	NVVNL/188996			Jaypee Nigrie Supercritical Thermal Power Plant (JNSTPP), Madhya Pradesh			

3.5. The Competitiveness of the rates discovered in tender ET-109 and ET-113.

3.5.1 The rates discovered are after following the due process as stipulated in Guidelines by Ministry of Power for procurement of short-term power.

3.5.2 In the last year for the month of October-22 and March-23 to May-23, MSEDCL had procured power 100 to 400 MW at the rate of Rs. 7.44 per unit to Rs. 7.85 per unit. MSEDCL had approached the Commission for adoption of these Tariff and the Commission vide its Order in Case No. 148 of 2022 had approved the short-term tariff for procurement of power.

3.5.3 As on date, the rates discovered in the short-term power purchase tender floated by other utilities on DEEP E-bidding portal are as below:

Sr. No	Utility	Period	Duration	Qtm	Rate Discovered (Rs/Unit)	Qtm Discovered (MW)
1	Rajasthan	01.09.2023 to 30.09.2023	00:00 to 24:00	1000	8.25 to 10.00	185
2	Andhra Pradesh	01.09.2023 to 30.09.2023	00:00 to 24:00	1000	7.50 to 10.00	500
		01.10.2023 to 31.10.2023	00:00 to 24:00	1000	7.49 to 10.00	1000
		01.11.2023 to 30.11.2023	00:00 to 24:00	1000	6.50 to 8.70	1000
		01.12.2023 to 31.12.2023	00:00 to 24:00	1000	6.50 to 8.70	1000
		01.01.2024 to 31.01.2024	00:00 to 24:00	1000	7.50 to 8.90	1000
		01.02.2024 to 28.02.2024	00:00 to 24:00	1000	7.80 to 8.90	1000
		01.03.2024 to 31.03.2024	00:00 to 24:00	1000	7.99 to 10.00	1000
3	Rajasthan	01.11.2023 to 30.11.2023	06:00 to 18:00	600	6.25 to 7.00	600
		01.12.2023 to 31.12.2023	06:00 to 18:00	600	6.34 to 7.00	600
		01.01.2024 to 31.01.2024	06:00 to 18:00	1000	6.32 to 7.20	1000
		01.02.2024 to 28.02.2024	06:00 to 18:00	600	6.22 to 7.20	600
4	Torrent power	01.10.2023 to 31.10.2023	00:00 to 24:00	450	8.96	450
		01.03.2024 to 31.03.2024	00:00 to 24:00	370	8.48	370
5	Tamil Nadu	01.03.2024 to 31.03.2024	00:00 to 24:00	700	8.25 to 10.00	700
		01.04.2024 to 30.04.2023	00:00 to 24:00	1500	8.25 to 12.00	1000
		01.05.2024 to 31.05.2024	00:00 to 24:00	700	8.25 to 9.70	700

3.5.4 MSEDCL proposed that the power quantum discovered in both tenders (ET-109 and ET-113) at the rate below Rs. 8.00 per unit can be procured to meet the expected shortfall during October -23 and March-24 to May-24.

3.5.5 The list of successful bidders of both the tenders with the quantum of power and its offered/quoted rate below Rs.8.00 per to be procured from both the tenders is as below:

Sr. No	Period	Timings (Hour)	Tender No	Offered Rate (Rs/Unit)	Offered Qtm (MW)	Total Qtm (MW)	Bidder	Source
1	01.10.2023 to 15.10.2023	00:00 to 24:00	ET-113	7.70	50	320	TPTCL/74174	JPL Shirpur Power Plant
				7.70	70		TPTCL /74187	Nava Bharat Energy India Limited (NBEIL)
				7.70	100		TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
				7.80	100		TPTCL/74243	1200 MW Anuppur Thermal Power Plant, Madhya Pradesh
2	16.10.2023 to 31.10.2023	00:00 to 24:00	ET-113	7.60	50	535	IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Projects Ltd - Nagpur
				7.70	25		MANIKARAN POWER LIMITED /79173	BLA Power Private Limited Madhya Pradesh-
				7.70	50		TPTCL/74174	JPL Shirpur Power Plant
				7.70	50		TPTCL/74188	Simhapuri Energy Limited (SEL)
				7.70	60		TPTCL /74187	Nava Bharat Energy India Limited (NBEIL)
			ET-109	7.52	300		NVVNL/74826	IL&FS Tamil Nadu power Company Limited (ITPCL), Tamil Nadu
3	01.03.2024 to 31.03.2024	00:00 to 24:00	ET-113	7.71	100	385	TPTCL/74174	JPL Shirpur Power Plant
				7.71	50		TPTCL/74188	Simhapuri Energy Limited (SEL)
				7.71	100		TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
				7.71	35		PTC India Limited/74491	Dhariwal Infrastructure Limited Located in Maharashtra
				7.64	50		IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Projects Ltd - Nagpur
				7.90	50		TPTCL /77617	SEIL Energy India Limited-Project 2 (SEIL - P2)
4	01.04.2024 to 30.04.2024	00:00 to 24:00	ET-113	7.73	100	410	TPTCL/74174	JPL Shirpur Power Plant
				7.73	50		TPTCL/74188	Simhapuri Energy Limited (SEL)
				7.73	100		TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
				7.73	60		PTC India Limited/74491	Dhariwal Infrastructure Limited Located in Maharashtra
				7.65	50		IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Projects Ltd - Nagpur
				7.90	50		TPTCL /77617	SEIL Energy India Limited-Project 2 (SEIL - P2)
5	01.05.2024 to 31.05.2024	00:00 to 24:00	ET-113	7.75	100	410	TPTCL/74174	JPL Shirpur Power Plant
				7.75	50		TPTCL/74188	Simhapuri Energy Limited (SEL)
				7.75	100		TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
				7.75	60		PTC India Limited/74491	Dhariwal Infrastructure Limited
				7.66	50		IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Projects Ltd - Nagpur
				7.90	50		TPTCL /77617	SEIL Energy India Limited-Project 2 (SEIL - P2)

3.5.6 Considering prevalent market trends, the rates discovered in short term tender are most competitive rates for the months of October-23 and March-24 to May-24.

3.6. Ceiling rate for additional power purchase through short term tender:

- 3.6.1 The Commission in its MTR Order in Case No. 226 of 2022 has approved a ceiling rate of Rs. 5.13 per unit for power procurement from short term sources and subject to the conditions that all short-term power is to be procured additionally as the need arises, through competitive bidding in accordance with the MoP Guidelines, except in case of power procured from the Power Exchanges or under the Banking mechanism.
- 3.6.2 MSEDCL, in exercise of power procurement on short term basis through recent competitive bidding in accordance with the MoP Guidelines, has discovered a price of Rs. 7.52 per unit to Rs 7.90 per unit which is much more than the ceiling rate of Rs.5.13 per unit determined by the Commission in its MYT Order.
- 3.6.3 Further, considering the expected demand and supply scenario, MSEDCL may require procuring the additional power by floating such short-term power purchase tender on DEEP portal and looking to the present price trend on short term power, the probability of rates that will be discovered may be more than the ceiling of Rs. 5.13 per unit.
4. At the e-hearing through video conferencing held on 10 October 2023, Advocate of MSEDCL reiterated its submissions made in the Petition. On the specific request, the Commission allowed MSEDCL to issue LoA to successful bidders.

Commission's Analysis and Rulings

5. Present Petition has been filed by MSEDCL seeking approval for tariff discovered through Competitive Bidding for Short Term Power purchase for the period of 01 October-23 to 31-October-23 and 01-March-24 to 31-May-24.
6. Considering the submissions made in the matter, the Commission frames following issues for its considerations:
- A. Provisions under which Short Term Power procurement of Distribution Licensee requires approval of the Commission.
 - B. Whether the quantum of additional short term power procurement proposed by MSEDCL is justified?
 - C. Whether the discovered tariff is consistent with the market trend?

The Commission is addressing these issues in the following paragraphs.

7. Issue A: - Provisions under which Short Term Power procurement of Distribution Licensee requires approval of the Commission.

7.1 The Commission notes that MERC MYT Regulations, 2019 which is applicable for control period of FY 2020-21 to FY 2024-25, has following provisions related to the additional power procurement by Distribution Licensee:

“

22.1 The Distribution Licensee may undertake additional power procurement during the year, over and above the power procurement plan for the Control Period approved by the Commission, in accordance with this Regulation.

22.2 Where there has been an unanticipated increase in the demand for electricity or a shortfall or failure in the supply of electricity from any approved source of supply during the Year or when the sourcing of power from existing tied-up sources becomes costlier than other available alternative sources, the Distribution Licensee may enter into additional agreement or arrangement for procurement of power.

22.3 Any variation, during the first or second block of six months of a Year, in the quantum or cost of power procured, including from a source other than a previously approved source, that is expected to be in excess of five per cent of that approved by the Commission, shall require its prior approval:

Provided that the five per cent limit shall not apply to variation in the cost of power procured on account of changes in the price of fuel for own generation or the fixed or variable cost of power purchase that is allowed to be recovered in accordance with Regulation 10.”

Thus, in cases where there is an anticipated shortfall in fulfilling the demand and for optimizing the power purchase cost, Licensee can procure additional power subject to the variation of excess of five percent in the quantum or cost of power procured during the first or second block of six months of a Year from the sources other than approved by the Commission.

7.2 Further, Ministry of Power’s Guidelines dated 30 March 2016 notified under Section 63 of the Electricity Act 2003 for short-term procurement of power by Distribution Licensees through tariff-based bidding process stipulate as follows:

“

11.4 If the quantum of power procured and tariff determined are within the blanket approval granted by the Appropriate Commission in Annual Revenue Requirement (ARR) of the respective year, then the same will be considered to have been adopted by the Appropriate Commission.

In all other cases, the Procurer(s) shall submit a petition to the Appropriate Commission for adoption of tariff within 2 days from the date of signing of PPA. Appropriate Commission should communicate the decision within 7 days from the date of submission of petition.”

Thus, if the quantum of power procured and the tariff determined are not within the blanket approval specified by the Commission in ARR/ Tariff Order, Distribution Licensee needs to approach the Commission for approval of the additional power procurement and to adopt the tariff discovered through competitive bidding process.

7.3 It is pertinent to note that with regards to short-term power purchase the Commission in its MTR Order dated 31 March 2023 ruled following:

“

Short-term Power Purchase and DSM

6.4.53 **The Commission has not considered any projection of short-term purchase** in line with submissions made by MSEDCL since the entire projected energy requirement would be met through the projected sources of power.

.....

6.4.55 Further, **the Commission will consider the actual short-term power purchase and DSM adjustment, if any, subject to prudence check at the time of true-up.**

6.4.57 In this context, the Commission notes that, considering the volatile nature of short-term power market and uncertainty in supply of power from long term sources on account of various reasons, MSEDCL has requested the Commission to accord in principle approval for procurement of power on DEEP e-bidding portal/ power exchange based on the projected average power purchase rate. Further, MSEDCL requested the Commission to revise the ceiling rate for procurement of power on DEEP e-bidding portal/ power exchange considering the projected power purchase rate during the Control Period.

6.4.58 The Commission notes that vide order in Case No. 148 of 2022 it had given approval for purchase of short-term purchase at a rate of Rs. 7.44 to 7.85 /kWh. However, since the situation of coal availability has improved over the last few months, it is considered that the MSEDCL may be able to meet its demand from its contracted sources itself.

6.4.59 Further, MSEDCL has submitted that in case such a situation arises again in summer months, MSEDCL may be allowed to purchase this power in order to meet the increase in demand. **In this regard the Commission approves a ceiling rate of Rs. 5.13 /kWh (3 years average rate on power exchanges) for power procurement from short-term sources over the balance period of 4th Control Period, if required and subject to the conditions that all short-term power to be procured additionally as the need arises, through competitive bidding in accordance with the above said MoP Guidelines, except in case of power procured from the Power Exchanges or under the Banking mechanism.**”
(Emphasis added)

Clearly, power procurement from Short Term Sources is not approved in Tariff Order. Hence, proposed short term power procurement needs to be treated as new source. Further, the Commission has indicated tariff for short term power procurement as Rs. 5.13 per unit for the remaining years of 4th Control Period. Tariff for proposed short term power procurement in present Petition is more than said tariff indicated in Tariff Order.

7.4 As the source of power is different and the tariff is higher than that has been approved by the Commission in MTR Tariff Order, it fulfils the criteria specified in MYT Regulations, 2019 and in the MoP Guidelines dated 30 March, 2016. Hence, prior approval of the Commission is required for the proposed short term power procurement by MSEDCL.

8. **Issue B: Whether the quantum of additional short-term power procurement proposed by MSEDCL is justified?**

8.1 The Commission notes that MSEDCL has floated two tenders (ET-109 and ET-113) for short term power procurement for October 2023 and March 2024 to May 2024 on DEEP E-bidding portal for procurement of RTC power up to 1000 MW.

8.2 For justifying procurement, MSEDCL has mapped its demand projections with anticipated generation availability.

8.3 **Demand Projections:**

8.3.1 The Commission notes that MSEDCL has projected its demand based on the CAGR of each hour from the hourly average demand of each month based on the hourly average demand data of period 2017 to 2022. However, to address intermittent abnormal demand rise/drop, normalization has been made based on the demand trends.

8.3.2 MSEDCL in its submission has considered following rise (%) in demand:

	October-2023	March-2024	April-2024	May-2024
% Demand Rise	15.43%-16.20%	3.63%-4.53%	3.59%-4.41%	4.23%-4.70%

8.3.3 The Commission notes that in the last (3) years, MSEDCL's system witnessed sustained increased demand in months of October, March, April and May as compared to average annual demand in MW terms. The historical incident peak demand (in MW) pattern for the months under consideration is as below:

(in MW)				
Month	2020	2021	2022	2023
October	17890	20125	19022	
March	21112	22554	24400	24893
April	16690	22832	25144	24326
May	19095	20948	24008	24047

The Commission while finalizing power purchase basket has considered following average demand:

	FY 2020-21*	FY 2021-22*	FY 2022-23	FY 2023-24	FY 2024-25
Energy Purchase (ex-bus) (MUs)	1,32,485.10	1,44,253.32	1,45,405	1,46,380	1,48,122
Average Demand considered in MTR Order (MW)	15123.9	16467.3	16598.7	16710.0	16908.9

*Trued-up

In past, MSEDCL has mitigated the seasonal peak demands by exploring options of short term power procurement, utilization of Koyna Generation, banking arrangement etc.

8.3.4 MSEDCL in present Petition anticipated incidence of following peak demand on MSEDCL system:

Month	Projected Peak Demand
October- 2023	23209
March-2024	25683
April-2024	26338
May-2024	24723

Based on historical demand , it can be concluded in MTR Order that actual power procurement requirement could be higher than that approved in MTR Order.

8.4 Supply Availability:

8.4.1 MSEDCL assessed the Thermal generation availability based on the actual historical

availability of the stations excluding the period of COVID and coal shortfall so that the effect of planned outages/forced outages, de-rated capacity of units is captured for forecasting the generation availability from contracted thermal generators. MSEDCL in this Petition has considered the availability of CGPL (which is currently supplying power under Section 11 of the EA-2003) till May-2024.

8.4.2 The Commission notes that MSEDCL has worked out generation availability for MSPGCL generation and for complete thermal generators basket as under:

(in MW)

Source	October-2023	March 2024	April-2024	May-2024
MSPGCL	6876 (72%)	7836 (82%)	7646 (80%)	7581 (79%)
Thermal Total including IPP+NTPC+NPCIL	17749	19231	19157	18978

8.4.3 Apart from the above MSEDCL has worked out generation availability for Co-Generation projects, Wind, Solar and small hydro projects based on historical generation trend.

8.4.4 For utilization of Koyna generation MSEDCL has categorically stated that due to less rainfall, there is a possibility of restrictions on utilization of Koyna water. As per Krishna Water Disputes Tribunal (KWDT), for Koyna generation allocated water quota is 67.5 TMC. As per SLDC's System Overview Report, till 22 October 2023 water quota of 42.329 TMC is remaining for utilization till May-2024 (Water Year- June to May). The Commission is of the opinion that Koyna Generation is not only used for managing short fall but also as an ancillary service such as providing reactive power support. Hence, utilization of Koyna water needs to be meticulously planned. Considering less rainfall, there is a possibility of restrictions on utilization of Koyna waters as a precautionary measure.

8.5 Mapping of demand and supply position:

8.5.1 Considering the projected demand and accessed generation availability, the expected shortfall is calculated for the month of Oct-23, Mar-24 to May-24.

8.5.2 The expected demand, availability, and shortfall during Morning Peak (MP), Day Peak (DP), Evening peak (EP) and Night Peak (NP) of ensuing period is as below:

Months	NP (22 to 6 hrs)			MP (6 to 10 hrs)			DP (10 to 18 hrs)			EP (18 to 22 hrs)		
	Demand	Availability	Shortfall	Demand	Availability	Shortfall	Demand	Availability	Shortfall	Demand	Availability	Shortfall
Oct-23	21575	19743	-1832	22712	21468	-1244	23209	22053	-1156	22023	20018	-2004
Mar-24	23540	22213	-1327	24386	23633	-753	25683	24713	-970	23029	22017	-1012
Apr-24	24297	22618	-1680	25208	24288	-921	26338	25155	-1183	24564	23114	-1450
May-24	24408	22202	-2206	23788	23640	-148	24723	23960	-763	23571	22086	-1485

8.5.3 Based on the above scenario, MSEDCL floated tender of RTC power. It is also relevant to mention that MSEDCL has also explored the option of banking facility. But the said option did not yield results. Hence, the Commission is considering both the tenders ET-109 and ET-113 for adoption in present proceedings.

9. **Issue C: - Whether the discovered tariff is consistent with the market trend?**

9.1 The Commission notes that MSEDCL has undertaken the short-term power procurement as per the competitive guidelines of MoP dated 30 March 2016 by floating the bid on DEEP portal.

9.2 In order to assess the competitiveness of the tariff discovered by MSEDCL in the present bidding, the Commission has referred to recent discovered tariff on DEEP Portal by other buyers and same is tabulated below:

Sr. No	Utility	Period	Duration	Qtm	Rate Discovered (Rs/Unit)	Qtm Discovered (MW)
1	Rajasthan	01.09.2023 to 30.09.2023	00:00 to 24:00	1000	8.25 to 10.00	185
2	Andhra Pradesh	01.09.2023 to 30.09.2023	00:00 to 24:00	1000	7.50 to 10.00	500
		01.10.2023 to 31.10.2023	00:00 to 24:00	1000	7.49 to 10.00	1000
		01.11.2023 to 30.11.2023	00:00 to 24:00	1000	6.50 to 8.70	1000
		01.12.2023 to 31.12.2023	00:00 to 24:00	1000	6.50 to 8.70	1000
		01.01.2024 to 31.01.2024	00:00 to 24:00	1000	7.50 to 8.90	1000
		01.02.2024 to 28.02.2024	00:00 to 24:00	1000	7.80 to 8.90	1000
		01.03.2024 to 31.03.2024	00:00 to 24:00	1000	7.99 to 10.00	1000
3	Rajasthan	01.11.2023 to 30.11.2023	06:00 to 18:00	600	6.25 to 7.00	600
		01.12.2023 to 31.12.2023	06:00 to 18:00	600	6.34 to 7.00	600
		01.01.2024 to 31.01.2024	06:00 to 18:00	1000	6.32 to 7.20	1000
		01.02.2024 to 28.02.2024	06:00 to 18:00	600	6.22 to 7.20	600
4	Torrent power	01.10.2023 to 31.10.2023	00:00 to 24:00	450	8.96	450
		01.03.2024 to 31.03.2024	00:00 to 24:00	370	8.48	370
5	Tamil Nadu	01.03.2024 to 31.03.2024	00:00 to 24:00	700	8.25 to 10.00	700
		01.04.2024 to 30.04.2023	00:00 to 24:00	1500	8.25 to 12.00	1000

Sr. No	Utility	Period	Duration	Qtm	Rate Discovered (Rs/Unit)	Qtm Discovered (MW)
		01.05.2024 to 31.05.2024	00:00 to 24:00	700	8.25 to 9.70	700

From the above it is observed that there is great deal of volatility in the market for short term power procurement with tariff ranging from Rs. 6.25 to 12.00 per unit. Apparently, these are the quoted rates as per final bids and not necessarily the rates accepted by the procurer. MSEDCL's discovered tariff seems to be in the median of such quoted market rates.

9.3 The Commission also notes that although tender floated by MSEDCL includes requisitions for the period of September, 2023 and February, 2024, MSEDCL has not proposed to sign PPA. It is observed that bid for that period was floated with intention to get cheaper power to replace costly contracted power, however it seems that as rate received for these periods is higher, MSEDCL is not going ahead with offer received for these periods. Also, for balance period, some the bidders have quoted tariff more than Rs 8/kWh, however, MSEDCL has decided to sign PPA only with bidders whose offered price is lower than Rs. 8/kWh. The Commission notes that Clause 7.13 of Competitive Bidding Guidelines for Short Term Power Procurement notified by the Central Government allows the procurer to issue LoA for the capacity lower than the requisition capacity. Hence, such steps taken by MSEDCL are as per the provisions of competitive bidding guidelines.

9.4 The Commission holds that MSEDCL has carried out the process of procurement of Short-Term Power in accordance with Competitive Bidding Guidelines and the tariff discovered is a median of current market situations for ET 109 & ET-113 tender and hence the Commission is inclined to consider and approve the same.

9.5 Section 63 of the EA, 2003 mandates the Commission to adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government.

9.6 In view of the foregoing, the Commission notes that tariff discovered by MSEDCL fulfils mandates and requirements for adoption as set out in Section 63 of the EA, 2003 and MYT Regulations, 2019. Accordingly, the Commission adopts Power Procurement as follows:

Sr. No	Period	Timings (Hour)	Tender No	Offered Rate (Rs/Unit)	Offered Qtm (MW)	Total Qtm (MW)	Bidder	Source
1	01.10.2023 to 15.10.2023	00:00 to 24:00	ET-113	7.70	50	320	TPTCL/74174	JPL Shirpur Power Plant
				7.70	70		TPTCL /74187	Nava Bharat Energy India Limited (NBEIL)
				7.70	100		TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
				7.80	100		TPTCL/74243	1200 MW Anuppur Thermal Power Plant, Madhya Pradesh

Sr. No	Period	Timings (Hour)	Tender No	Offered Rate (Rs/Unit)	Offered Qtm (MW)	Total Qtm (MW)	Bidder	Source
2	16.10.2023 to 31.10.2023	00:00 to 24:00	ET-113	7.60	50	535	IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Projects Ltd - Nagpur
				7.70	25		MANIKARAN POWER LIMITED /79173	BLA Power Private Limited Madhya Pradesh-
				7.70	50		TPTCL/74174	JPL Shirpur Power Plant
				7.70	50		TPTCL/74188	Simhapuri Energy Limited (SEL)
				7.70	60		TPTCL /74187	Nava Bharat Energy India Limited (NBEIL)
			ET-109	7.52	300		NVVNL/74826	IL&FS Tamil Nadu power Company Limited (ITPCL), Tamil Nadu
3	01.03.2024 to 31.03.2024	00:00 to 24:00	ET-113	7.71	100	385	TPTCL/74174	JPL Shirpur Power Plant
				7.71	50		TPTCL/74188	Simhapuri Energy Limited (SEL)
				7.71	100		TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
				7.71	35		PTC India Limited/74491	Dhariwal Infrastructure Limited Located in Maharashtra
				7.64	50		IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Projects Ltd - Nagpur
				7.90	50		TPTCL /77617	SEIL Energy India Limited-Project 2 (SEIL - P2)
4	01.04.2024 to 30.04.2024	00:00 to 24:00	ET-113	7.73	100	410	TPTCL/74174	JPL Shirpur Power Plant
				7.73	50		TPTCL/74188	Simhapuri Energy Limited (SEL)
				7.73	100		TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
				7.73	60		PTC India Limited/74491	Dhariwal Infrastructure Limited Located in Maharashtra
				7.65	50		IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Projects Ltd - Nagpur
				7.90	50		TPTCL /77617	SEIL Energy India Limited-Project 2 (SEIL - P2)
5	01.05.2024 to 31.05.2024	00:00 to 24:00	ET-113	7.75	100	410	TPTCL/74174	JPL Shirpur Power Plant
				7.75	50		TPTCL/74188	Simhapuri Energy Limited (SEL)
				7.75	100		TPTCL/74242	ACB (India) Limited, Bilaspur, Chhattisgarh
				7.75	60		PTC India Limited/74491	Dhariwal Infrastructure Limited
				7.66	50		IDEAL ENERGY PROJECTS LIMITED/395841	Ideal Energy Projects Ltd - Nagpur
				7.90	50		TPTCL /77617	SEIL Energy India Limited-Project 2 (SEIL - P2)

9.7 MSEDCL has also requested to fix appropriate ceiling tariff for all future short term power procurement. The Commission notes that power procurement envisaged in present Petition falls under two tariff years i.e., FY 2023-24 (October-2023 and March-2024) and FY 2024-25 (April-2024 & May-2024). Considering current market trends, the Commission is considering revising ceiling tariff, for FY 2023-24 and FY 2024-25. The highest quoted tariff in ET-109 and ET-113 is Rs. 7.90/kWh, the same shall act as ceiling tariff for procurement of short-term power through competitive bidding process for FY 2023-24 and

FY 2024-25. Any tariff discovered below such a ceiling shall be considered as deemed adopted as per provisions of competitive bidding guidelines notified by the Central Government for short-term power procurement.

10. Hence, following Order:

ORDER

1. **Case No. 190 of 2023 is allowed.**
2. **Short Term Power Procurement under tender ET-109 & ET-113 for the period from 01 October-23 to 31 October-23 and 01-March-24 to 31-May-24 by Maharashtra State Electricity Distribution Co. Ltd. as stated in para 9.6 above is approved.**
3. **Maharashtra State Electricity Distribution Co. Ltd to submit the copies of Final PPAs to the Commission for records.**

Sd/-
(Surendra J. Biyani)
Member

Sd/-
(Anand M. Limaye)
Member

Sd/-
(Sanjay Kumar)
Chairperson


(Dr. Rajendra G. Ambekar)
Secretary

