



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Petition No. 2033 of 2023**

**QUORUM**

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

Hon'ble Shri Sanjay Kumar Singh, Member

**IN THE MATTER OF**

Petition for approval of PPA and adoption of tariff discovered through Expression of Interest (EOI) invited for implementation of project under MNRE, GoI, Pradhan Mantri Kisan Urja Suraksha Evam Utthan Mahabhiyan (PM-KUSUM) scheme Component-A for setting up of grid connected Solar Power Plant of 0.5 to 2MW capacity for procurement of power for long term i.e. period of 25 years.

**AND**

**IN THE MATTER OF**

- 1. Uttar Pradesh New & Renewable Energy Development Agency (UPNEDA),**  
Vibhuti Khand, Gomti Nagar, Lucknow – 226010
- 2. Uttar Pradesh Power Corporation Ltd. (UPPCL),**  
Shakti Bhawan, 14 – Ashok Marg, Lucknow – 226001

..... Petitioner(s)

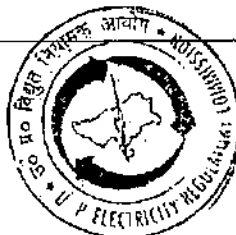
**FOLLOWING WERE PRESENT**

1. Shri S.K. Chaurasia, S.E, UPPCL
2. Shri C.P. Maurya, A.E, UPPCL
3. Shri Rakesh Agarwal, Sr. Project Officer-I, UPNEDA
4. Shri Divyanshu Bhatt, Advocate, UPNEDA
5. Shri Savyasachi Saumitra, Advocate, UPNEDA

**ORDER**

**(DATE OF HEARING: 09.01.2024)**

1. The Petitioner(s) have filed instant Petition seeking approval of PPA dated 24.01.2023 signed between Ms. Maya Singh on behalf of Solar Power Generator and





UPPCL/procurers and adoption of tariff of Rs. 3.10 per unit for 1MW ground mounted grid connect Solar Power Plant (SPP) under Component-A of PM KUSUM Scheme. The Prayers of the Petitioners are as follows:

- a) To take the Petition on record and admit the same.
- b) To Approve and adopt the tariff of Rs.3.10 per kWh for procurement of power from the successful applicant (Solar Power Generator) for capacity of 1 MW for 25 years period.
- c) To Approve the PPA dated 24.01.2023 signed for 1 MW in between the Solar Power Generator and UPPCL.
- d) To Condone any inadvertent omissions/errors/shortcomings and permit the Petitioner to add/change/modify/alter after this filing and make further submissions as may be required at a future date.
- e) Pass such further order, as the Commission may deem fit and proper in the facts & circumstances of the case.

**Background as submitted by the Petitioners:**

2. Ministry of New and Renewable Energy, Govt. of India (MNRE) has issued a new scheme "Guidelines for implementation of Pradhan Mantri Kisan Urja Suraksha evam Utthan Mahabhiyan Scheme" for farmers with the following components:
  - i) Component A: Setting up of decentralized ground/ tilt mounted grid connected solar or other renewable energy-based power plant of capacity 0.5 MW to 2 MW
  - ii) Component B: Installation of standalone solar agriculture pumps.
  - iii) Component C: Solarization of Grid connected agriculture pump.
3. Further, MNRE has notified Office Memorandum vide F.No.32/645/2017- SPV Division dated 22.07.2019 "Guidelines for implementation of PM KUSUM Scheme" wherein under component-A of the said scheme, it is targeted to achieve 10,000 MW of decentralised ground mounted grid connected power plants of individual plant size up to 2 MW.
4. Petitioner approached this Commission vide Petition No. 1492/2019 for determination of feed- in Tariff for procurement of power from small capacity (i.e.,



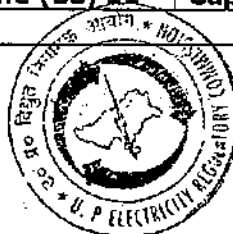


0.5 MW to 2 MW) Grid Connected Solar PV Power Projects to be implemented under PM KUSUM scheme for farmers of MNRE. UPPCL vide its letter No. 78/DSM/10/KUSUM Project Part A/VAL-1/2019 dated 04.02.2020 had already provided consent to procure power at a ceiling tariff of Rs.3.10 per kWh for 25 years. During the proceedings in the Petition, Petitioner informed that owing to the policy of e-reverse bidding and ceiling tariff of Rs. 3.10 /kWh, they received only one lot of bidding for setting up of 7MW project in the bid concluded on 27.07.2022.

5. This Commission vide its Order dated 02.08.2022 in the aforesaid Petition, directed the Petitioner to get the requisite approvals from the Government for making amendments in the process of bidding to enhance participation. Subsequently, Petitioner vide letter No. 762 dated 31.08.2022 received the approval from the State Government of Uttar Pradesh allowing it to change the procedure from reverse bidding to Expression of Interest (EOI). Thereafter, Petitioner approached this Commission and submitted the aforesaid approval of the Govt. of Uttar Pradesh. This Commission vide Order dated 07.09.2022 allowed the Petitioner to proceed with Expression of Interest (EOI) bidding at a ceiling tariff of Rs. 3.10 per kWh.
6. The EOI document vide EOI No.03/UPNEDA-PM KUSUM-A/GRID CONNECT/EOI/2022 dated 02.09.2022 including Model PPA, Land Lease Agreement and subsequent addendums/corrigenda was issued by UPNEDA for the selection of Solar Power Generator (SPG) for setting up of decentralized Ground Mounted Grid-Connected SPP aggregating to total 98 MW capacity PM KUSUM-A Scheme.
7. On 07.09.2022, NIT was published in all editions of the following national newspaper:
  - a. Hindustan (Hindi)
  - b. Hindustan Times (English)
8. In reference to the issued EOI, Petitioner received 6 numbers of Application for setting up of decentralized ground mounted grid connected solar power plant at different locations. Pursuant to assessment of received Applications and based on the bid conditions, Petitioner accepted the EOI Application form of 4 number of Applicants. The fixed tariff of Rs. 3.10 per kWh for power generated from the specified SPP is part of the term of PPA entered between the SPG and UPPCL for the period of 25 years. The details of the said applicants are as follows:

S. No.	Applicant Name	Substation Name (33/11)	Project Capacity	LOA issued Date	PPA Date
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1	Sh. Subhash Chandra Sengar	Vahanpur, Hathras	0.5 MW	30.11.2022	23.01.2023
2	<b>Smt. Maya Singh</b>	<b>Bariyarpur, Deoria</b>	<b>1 MW</b>	<b>30.11.2022</b>	<b>24.01.2023</b>
3	Smt. Mithlesh Singh	Mohan Lal Ganj old, Lucknow	2 MW	30.11.2022	31.01.2023
4	Sh. Ashish Gupta	Khakshis, Jalaun	1 MW	30.11.2022	31.01.2023
	<b>Total</b>		<b>4.5 MW</b>		

9. Since no progress was made even after the regular follow-up with the 3 applicants out of 4 applicants, the Petitioner proceeded with only one applicant, but continues to make follow up with the other applicants and would approach the Commission as and when they make progress. The activities carried out with timelines were as follows:

S. No.	Activity	Date
1.	Publication of NIT and EOI Documents	07.09.2022
2.	Submission of EOIs by the Applicants	09.11.2022
3.	Opening of submitted Applications by UPEDA	10.11.2022
4.	Issue of LOA to the successful Applicant	30.11.2022
5.	<b>Signing of PPA for 1 MW capacity</b>	<b>24.01.2023</b>

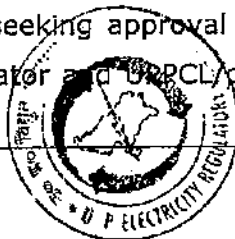
As per clause 8(i) of the EOI, Procurer/UPPCL also provided a certificate of conformity of the bid process as per guidelines.

10. The Applicant, Mrs. Maya Singh, achieved financial closure vide certificate no. 2777/UPNEDA-SE-Pm KUSUM-A Maya Singh/01 MW/2022 dated 16.08.2023, therefore, the Petitioner confirmed the applicant- Mrs. Maya Singh as "Solar Power Generator" for setting up of decentralized ground mounted grid connected SPP. The key details of the same are as below:

Project Capacity	Project location.	Sub-station details for connectivity	Fixed Tariff
1MW	Vill- Bariyarpur, Tehsil-Sadar, District- Deoria, Uttar Pradesh	Bariyarpur 33/11 KV Sub-station	Rs. 3.10 per kWh

#### Record of Proceedings:

11. During the hearing, Sh. Divyanshu Bhatt, Counsel of UPNEDA submitted that instant Petition has been filed for seeking approval of the PPA dated 24.01.2023 signed between Solar Power Generator and UPPCL/procurers and adoption of tariff of Rs.





3.10 per unit for 1MW SPP capacity under Component-A of PM KUSUM Scheme pursuant to the EOI dated 02.09.2022. Further, Sh. Bhatt stated that out of 4 applicants, 3 applicants have not completed the financial closure and for that notice has been issued and for the rest one applicant i.e., Mrs. Maya Singh, they have received the financial closure. On specific query of the Commission, Sh. Bhatt responded that there is no dispute between the parties under the PPA and the same was duly signed by Mrs. Maya Singh and therefore, the Order may be reserved in the matter. UPPCL did not made any submissions in the matter.

**Commission's View:**

12. The Commission vide its Order dated 07.09.2022 in Petition No. 1492/2019, on the request of UPNEDA, allowed UPNEDA to proceed with EOI at the fixed tariff of Rs. 3.10 per kWh to enhance participation of bidders, instead of Reverse Bidding. The relevant extract of the Order dated 07.09.2022 is reproduced as under:

*"2. During the Proceedings, Ms. Namrata Kalra, Advisor to UPNEDA submitted that they have received single response in the concluded bid dated 27.07.2022 and therefore, they have made an application for approval of the State Government to allow change in procedure of bidding i.e., from reverse bidding to Expression of Interest (EOI) with Fixed Tariff of Rs. 3.10 per kWh. Further, Ms. Kalra informed that response to the queries has been submitted to the Govt. and decision is expected in short time.*

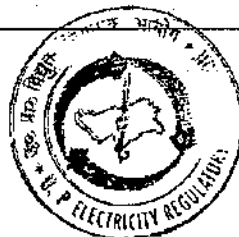
*3. After hearing the parties, the Commission adjourned the hearing and allowed UPNEDA to proceed with Expression of Interest (EOI) bidding at a ceiling tariff of Rs. 3.10 per kWh to enhance participation of bidders as the 'KUSUM' scheme will enhance Renewable Energy in the state."*

13. Further, the Commission vide its Order dated 30.10.2022 in 1492/2019 directed UPNEDA to place on record the outcome of the EOI dated 02.09.2022 and file a separate Petition for approval of PPA(s) under the KUSUM scheme. The relevant extract of the said Order dated 30.10.2022 is reproduced for ready reference as under:

*"4. After hearing the parties, the Commission directed UPNEDA to place on record the outcome details of EOI bidding dated 02.09.2022 and file separate Petition for approval of PPA(s) under the KUSUM Scheme."*

14. UPNEDA, now vide the instant Petition has submitted that they have received six number of applications out of which four applications were accepted by them based on assessment considering bid conditions. However, only one applicant i.e., Mrs. Maya Singh, out of the four applicants, has provided the financial closure and therefore, approval of PPA dated 24.01.2023 signed between Ms. Maya Singh (i.e., Solar Power Generator) and UPPCL is sought.

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15. Procurer/UPPCL having provided certificate of conformity of the bid process as per guidelines, the Commission adopts the tariff of Rs. 3.10 per unit, under MNRE, GoI, Pradhan Mantri Kisan Urja Suraksha Evam Utthan Mahabhiyan (PM-KUSUM) scheme Component-A for setting up of grid connected Solar Power Plant of 1 MW capacity for procurement of power for long term i.e. period of 25 years. The Commission also approves the PPA dated 24.01.2023 for procurement of power by UPPCL from grid connected Solar Power Plant of Ms. Maya Singh at the fixed tariff of Rs. 3.10 per kWh for a period of 25 years.

Accordingly, the Petition stands disposed of.

(Sanjay Kumar Singh)  
Member

(Vinod Kumar Srivastava)  
Member (Law)

(Arvind Kumar)  
Chairman

Place: Lucknow

Dated: 20.02.2024

