



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION.**

**LUCKNOW**

**Petition No. 2092 of 2024**

**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 under Section 63 of the Electricity Act, 2003 read with Clause 11.4 of the revised Guidelines of Ministry of Power dated 30.03.2016 for procurement of short-term power (i.e. for a period of more than one day to one year) seeking Approval of Power Purchase Agreements and Adoption of Tariff discovered through Competitive Bidding for Procurement of solar power from 01.07.2024 to 31.03.2025 by Noida Power Company Ltd.

**AND**

**IN THE MATTER OF**

**Noida Power Company Ltd. (NPCL),**

Plot No. ESS, Knowledge Park – IV,

Greater Noida – 201310, Uttar Pradesh.

..... Petitioner

**FOLLOWING WERE PRESENT**

1. Sh. Sanket Srivastava, Head (Power Management), NPCL
2. Sh. R.K. Sharan, Resident Officer, NPCL

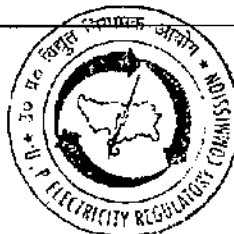
**ORDER**

**(DATE OF HEARING: 18.06.2024)**

1. The Petitioner, NPCL has filed the instant Petition seeking adoption of tariff and approval of PPA signed on 29.05.2024 for procurement of short-term Solar power from 01.07.2024 to 31.03.2025. The prayers of the Petitioner are as follows:

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- a) Adopt the Tariff (at Delivery Point) as mentioned in Table 9 in view of Section 63 of the Electricity Act, 2003 read with Clause 11.4 of the Short-Term Bidding Guidelines to enable the Petitioner to supply reliable power to its consumers at reasonable cost.
- b) Approve the Power Purchase Agreement executed on 29.05.2024.
- c) Approve the transmission charges and losses to be incurred on actuals subsequent to delivery point as per the applicable provisions of Bidding Document / Regulations /Orders.
- d) Condone inadvertent omissions/ errors/ rounding-off differences/ shortcomings, if any and permit the Petitioner to add/ alter this filing and make further submissions as may be required; and
- e) To pass any other order(s) as this Commission may deem fit in the facts and circumstances of the case.

**Brief of the Case:**

2. The Petitioner has mainly submitted the following in the Petition:

- a) NPCL has following tie-ups for supply of power during June 2024 to March 2025:

**Long-Term Arrangements:**

- i) 170 MW RTC power at ex-generator's bus from M/s Dhariwal Infrastructure Ltd.- approximately 158 MW RTC will be available at NPCL bus.
- ii) 25 MW Solar Power at ex-generator's bus from M/s Adani Solar Energy Chitrakoot One Limited – approx. 13-14 MW will be available during day hours at NPCL bus.
- iii) 25 MW Solar Power at ex-generator's bus from M/s Tata Power Renewable Energy Limited – approx. 13-14 MW will be available during day hours at NPCL bus.
- iv) 10 MW Wind Power at ex-generator's bus from M/s PTC India Limited- approx. 6-7 MW RTC will be available at NPCL bus.

**Medium-Term Arrangements:**

- i) 45 MW RTC power at CTU periphery of seller from M/s Tata Power Trading Ltd. (TPTCL) during April 2024 to March 2026.

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ii) 95 MW RTC power at CTU Periphery of Seller from M/s Jindal India Thermal Power Ltd. during April 2024 to March 2029.

b) Based on demand trend of the consumers, the Petitioner projected its power demand till March 2025 and calculated its power requirement as below:

| Month/ Duration | Average Demand (MW) |       |       |       |
|-----------------|---------------------|-------|-------|-------|
|                 | 00-06               | 06-12 | 12-18 | 18-24 |
| June, 2024      | 550                 | 506   | 606   | 594   |
| July, 2024      | 520                 | 523   | 571   | 581   |
| August, 2024    | 550                 | 534   | 588   | 606   |
| September, 2024 | 530                 | 526   | 581   | 596   |
| October, 2024   | 427                 | 456   | 490   | 496   |
| November, 2024  | 300                 | 395   | 404   | 364   |
| December, 2024  | 303                 | 412   | 419   | 380   |
| January, 2025   | 344                 | 466   | 474   | 457   |
| February, 2025  | 323                 | 430   | 418   | 403   |
| March, 2025     | 324                 | 412   | 411   | 394   |

c) Considering the load requirement, the Petitioner decided to procure up to 50MW Solar and/or Wind based power on Short-Term basis from 01.06.2024 to 31.03.2025, in accordance with the MoPs Revised Guidelines dated 30.03.2016 and accordingly published a notice in the newspaper (i.e., The Indian Express and Financial Express) on 03.04.2024, Inviting Bids from Generators, Captive Power Plants, Licensed Power Traders, State Utilities and Distribution Licensees. The details of period, quantum, and duration is as follows:

**Solar Power-**

| Req. No. | Period                   | Quantum at Delivery Point* (MW) | Timings (Hrs.) | Quantum at Delivery Point*(MUs) | Minimum Bid Quantity (MW) |
|----------|--------------------------|---------------------------------|----------------|---------------------------------|---------------------------|
| 1        | 01.06.2024 to 30.06.2024 | 50                              | 06:00 to 18:00 | 8.64                            | 5                         |
| 2        | 01.07.2024 to 31.07.2024 | 50                              | 06:00 to 18:00 | 8.93                            | 5                         |
| 3        | 01.08.2024 to 31.08.2024 | 50                              | 06:00 to 18:00 | 8.93                            | 5                         |
| 4        | 01.09.2024 to 30.09.2024 | 50                              | 06:00 to 18:00 | 8.64                            | 5                         |
| 5        | 01.10.2024 to 31.10.2024 | 50                              | 06:00 to 18:00 | 8.93                            | 5                         |
| 6        | 01.11.2024 to 30.11.2024 | 50                              | 06:00 to 18:00 | 8.64                            | 5                         |

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|----|--------------------------|----|----------------|------|---|
| 7  | 01.12.2024 to 31.12.2024 | 50 | 06:00 to 18:00 | 8.93 | 5 |
| 8  | 01.01.2025 to 31.01.2025 | 50 | 06:00 to 18:00 | 8.93 | 5 |
| 9  | 01.02.2025 to 28.02.2025 | 50 | 06:00 to 18:00 | 8.06 | 5 |
| 10 | 01.03.2025 to 31.03.2025 | 50 | 06:00 to 18:00 | 8.93 | 5 |

**Wind Power-**

| Req. No. | Period                   | Quantum at Delivery Point* (MW) | Timings (Hrs.) | Quantum at Delivery Point* (MUs) | Minimum Bid Quantity (MW) |
|----------|--------------------------|---------------------------------|----------------|----------------------------------|---------------------------|
| 1        | 01.06.2024 to 30.06.2024 | 50                              | 00:00 to 24:00 | 10.80                            | 5                         |
| 2        | 01.07.2024 to 31.07.2024 | 50                              | 00:00 to 24:00 | 11.16                            | 5                         |
| 3        | 01.08.2024 to 31.08.2024 | 50                              | 00:00 to 24:00 | 11.16                            | 5                         |
| 4        | 01.09.2024 to 30.09.2024 | 50                              | 00:00 to 24:00 | 10.80                            | 5                         |
| 5        | 01.10.2024 to 31.10.2024 | 50                              | 00:00 to 24:00 | 11.16                            | 5                         |
| 6        | 01.11.2024 to 30.11.2024 | 50                              | 00:00 to 24:00 | 10.80                            | 5                         |
| 7        | 01.12.2024 to 31.12.2024 | 50                              | 00:00 to 24:00 | 11.16                            | 5                         |
| 8        | 01.01.2025 to 31.01.2025 | 50                              | 00:00 to 24:00 | 11.16                            | 5                         |
| 9        | 01.02.2025 to 28.02.2025 | 50                              | 00:00 to 24:00 | 10.08                            | 5                         |
| 10       | 01.03.2025 to 31.03.2025 | 50                              | 00:00 to 24:00 | 11.16                            | 5                         |

\*Note: 1) For inter-state transmission of power, the Delivery Point for the entire duration of the contract shall be CTU Periphery of Seller i.e. Inter-connection of Seller with CTU.  
2) For Intra-state transmission of power, the Delivery Point for the entire duration of the contract shall be STU Periphery of Seller i.e. inter-connection of Seller with STU.  
3) For the purpose of calculations of Energy (MUs) in above Table, CUF of 24% and 30% have been considered for Solar and Wind respectively.

d) The Petitioner, in accordance with the Guidelines, formed a Bid Monitoring Committee and the Standing Committee consisting of the officials of the Petitioner for the purpose of bid evaluation and appointed M/s PFC Consulting Ltd. (PFC) as its Authorized Representative for the purpose of uploading Request for Proposal (RfP) on the DEEP portal and to open the technical and financial bids. The timelines adopted for the bidding process is as follows:

| S. No. | Event | Date/Time |
|--------|-------|-----------|
|--------|-------|-----------|

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|----|---|--------------------------|
| 1. | Publication of RfP/ Activation of Event       | 03.04.2024 at 10:00 Hrs. |
| 2. | Last Date of submission of Bids including EMD | 10.04.2024 at 14:00 Hrs. |
| 3. | Opening of non-financial technical Bids       | 10.04.2024 at 15:00 Hrs. |
| 4. | Opening of Initial Price Offers (IPOs)        | 12.04.2024 at 12:00 Hrs. |
| 5. | Start of e-Reverse Auction                    | 12.04.2024 at 13:00 Hrs. |

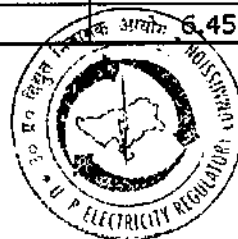
e) On the last day of Bid submission (i.e., 10.04.2024), the Petitioner didn't receive any bid from the prospective bidders. Therefore, the Petitioner decided to extend the bid submission date by few more days vide Corrigendum-1 dated 10.04.2024. However, on the revised bid submission date also the petitioner didn't receive any bid from the prospective bidders. The petitioner again extended the bid submission dates via Corrigendum-2 dated 16.04.2024, Corrigendum-3 dated 23.04.2024, Corrigendum-4 dated 29.04.2024 and Corrigendum-5 dated 03.05.2024. The details of the last Corrigendum (i.e., Corrigendum-5) are as follows:

| S. No. | Event   | Date/Time                |
|--------|---|--------------------------|
| 1.     | Last date of submission of RfP Bids including EMD | 06.05.2024 at 14:00 Hrs. |
| 2.     | Opening of Non-financial Technical Bids           | 06.05.2024 at 15:00 Hrs. |
| 3.     | Opening of IPOs                                   | 07.05.2024 at 14:00 Hrs. |
| 4.     | Start of Reverse Auction                          | 07.05.2024 at 15:00 Hrs. |

f) On the revised date of bid submission, the Petitioner received only one response from a bidder – Tata Power Trading Company Ltd (TPTCL) for supply of solar power only. Based on evaluation of non-financial bids, the Standing Committee proceeded to evaluate the Financial Bids. As per the Short-Term Bidding Guidelines, the Financial Bids were first opened at Initial Price Offer (IPO) Stage followed by Reverse Auction. Bids at IPO Stage were opened at 14:00 Hrs. on 07.05.2024 by PFC. Thereafter, Reverse Auction was carried out by PFC and the results obtained are tabulated below:

| S. No. | Period | Bidder Name (Source)         | Bidding Quantum (MW) | Monthly Energy (MUs) | Rate at CTU Periphery of Seller (Rs/kWh) |
|--------|--------|------------------------------|----------------------|----------------------|--|
| 1      | Jun-24 | TPTCL<br>(TP Saurya Limited) | 35                   | 6.05                 | 4.30                                     |
| 2      | Jul-24 |                              | 35                   | 6.25                 | 4.05                                     |
| 3      | Aug-24 |                              | 35                   | 6.25                 | 4.05                                     |
| 4      | Sep-24 |                              | 40                   | 6.91                 | 4.05                                     |
| 5      | Oct-24 |                              | 50                   | 8.93                 | 4.00                                     |
| 6      | Nov-24 |                              | 50                   | 8.64                 | 4.00                                     |
| 7      | Dec-24 |                              | 35                   | 6.25                 | 4.00                                     |
| 8      | Jan-25 |                              | 35                   | 6.25                 | 4.00                                     |
| 9      | Feb-25 |                              | 40                   | 6.45                 | 4.00                                     |

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|----|--------|----|------|------|
| 10 | Mar-25 | 40 | 7.14 | 4.00 |
|----|--------|----|------|------|

\*Note: 1) The rates quoted by Bidders are at CTU Periphery of Seller i.e. interconnection of seller with CTU.

2) For inter-state transaction, all Open Access charges & losses up to the Delivery Point i.e. Intra-state transmission charges & losses, scheduling & operating charges along with application/consent fee of SLDC for the Seller's State shall be borne by the Bidder. All other charges & losses beyond the Delivery Point i.e. CTU/PGCIL transmission charges & losses, scheduling & operating charges of any Intervening RLDC, application fee of NRLDC, consent fee of UPSLDC, scheduling & operating charges of UPSLDC along with U.P. State transmission charges & losses shall be borne by the Procurer/NPCL.

- g) The Petitioner apprised the Standing Committee about the Power exchange rates for G-DAM of Northern Region periphery during July 2022 to March 2023 and July 2023 to March 2024 as below:

| Slots (Hrs.) | Jul-22 | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Jan-23 | Feb-23 | Mar-23 | Avg. Jul-22 to Mar-23 |
|--------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-----------------------|
| 00-06        | 5.78   | 5.73   | 5.76   | 3.70   | 3.98   | 3.62   | 3.33   | 4.31   | 5.28   | 5.78*                 |
| 06-12        | 4.50   | 4.91   | 5.17   | 3.84   | 4.91   | 6.71   | 9.18   | 7.98   | 6.11   |                       |
| 12-18        | 4.24   | 4.71   | 4.97   | 4.20   | 4.89   | 5.62   | 6.73   | 5.30   | 5.54   |                       |
| 18-24        | 8.76   | 9.37   | 9.52   | 6.84   | 5.62   | 5.65   | 6.93   | 7.07   | 7.13   |                       |

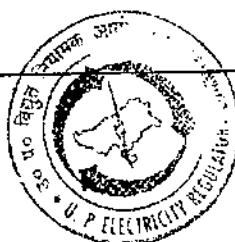
| Slots (Hrs.) | Jul-23 | Aug-23 | Sep-23 | Oct-23 | Nov-23 | Dec-23 | Jan-24 | Feb-24 | Mar-24 | Avg. Jul-23 to Mar-24 |
|--------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-----------------------|
| 00-06        | 4.86   | 7.84   | 6.92   | 7.35   | 4.45   | 4.05   | 3.93   | 3.91   | 4.11   | 5.85*                 |
| 06-12        | 3.74   | 6.11   | 6.10   | 6.45   | 4.70   | 6.14   | 8.80   | 7.36   | 4.08   |                       |
| 12-18        | 3.32   | 5.39   | 5.66   | 6.59   | 5.20   | 5.22   | 5.87   | 4.58   | 3.32   |                       |
| 18-24        | 7.91   | 9.30   | 9.50   | 8.76   | 5.85   | 5.73   | 6.65   | 6.10   | 4.81   |                       |

\*The GDAM rates at above Tables are at the regional periphery and considering the currently prevailing open access charges, the indicative average landed rate at the Petitioner's bus would be around Rs. 6.45 per kWh.

- h) The Standing Committee was informed that the bidding process was expected to be closed in the first fortnight of the month of April 2024, however, due to no participation by the prospective bidders and extension of tender by the Petitioner led to closure of the bidding process in the month of May 2024. Meanwhile, the Petitioner finalised the power requirement for the month of June 2024 from Power Exchange. Therefore, in this tender, the Petitioner decided to consider the bid from the July 2024 to March, 2025 only.

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- i) The Standing Committee observed that the Wt. Average Rate for procurement of Solar power from July 2024 to March 2025 would be Rs. 4.02 per kWh at CTU Periphery of Seller (excluding inter-state and intra-state transmission charges & losses) which is competitive considering the recent power market trends. Further, since the proposed power is solar based renewable power, this would also help in meeting RPO targets as well. Accordingly, the Standing Committee recommended Petitioner to procure power from July 2024 to March 2025 as below:

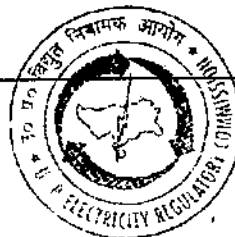
| S. No.                                   | Period | Bidder Name (Source)         | Bidding Quantum (MW) | Monthly Energy (MUs) | Rate at CTU Periphery of Seller (Rs/kWh) |
|--|--------|------------------------------|----------------------|----------------------|--|
| 1  | Jul-24 | TPTCL<br>(TP Saurya Limited) | 35                   | 6.25                 | 4.05                                     |
| 2  | Aug-24 |                              | 35                   | 6.25                 | 4.05                                     |
| 3  | Sep-24 |                              | 40                   | 6.91                 | 4.05                                     |
| 4  | Oct-24 |                              | 50                   | 8.93                 | 4.00                                     |
| 5  | Nov-24 |                              | 50                   | 8.64                 | 4.00                                     |
| 6  | Dec-24 |                              | 35                   | 6.25                 | 4.00                                     |
| 7  | Jan-25 |                              | 35                   | 6.25                 | 4.00                                     |
| 8  | Feb-25 |                              | 40                   | 6.45                 | 4.00                                     |
| 9  | Mar-25 |                              | 40                   | 7.14                 | 4.00                                     |
| <b>Total Wt. Average Rate (Rs. /kWh)</b> |        |                              |                      | <b>63.07</b>         | <b>4.02</b>                              |

- j) The Standing Committee certified that the bid evaluation has been done in conformance with provisions of the RfP as prescribed by Revised Short-term Competitive Bidding Guidelines dated 30.03.2016 issued by Ministry of power.
- k) The above discovered rates are at the CTU Periphery of the Seller. As the power will be scheduled under the Petitioner's General Network Access (GNA) of 451 MW (i.e., 351 MW existing GNA + 100 MW additional GNA expected to be operational from 01.07.2024), the weighted average landed cost of above power would be around Rs. 4.62 per kWh. However, the same would be subject to the payment of actual Transmission/GNA charges & losses.
- l) Accordingly, the Petitioner decided to issue the Letter of Award to M/s TPTCL vide its letter dated 24.05.2024. The said LoA was accepted by TPTCL vide its Letter dated 27.05.2024. Thereafter, on 29.05.2024, the Petitioner has entered into Power Purchase Agreement with TPTCL.

**Records of Proceedings:**

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3. During the hearing today, Sh. Sanket Srivastava on behalf of NPCL submitted that instant matter is regarding adoption of tariff discovered under competitive bidding on DEEP portal for purchase of solar based power on short-term basis. He further stated that initially NPCL published a tender for purchase of Solar and Wind power on 03.04.2024 but no response was received from the bidders, therefore, NPCL extended the said tender five times. On the last extended date of the said tender, NPCL received one bid from TPTCL to supply solar power through its sister concern company- TP Saurya Ltd. The rate discovered in the Reverse Auction was in the range of Rs. 4.00 to 4.05 per unit, which is competitive as compared to the rate discovered at G-DAM during the period of FY 2022-23 and FY 2023-24.
4. He further stated that under GNA regime, NPCL/procurer would have to bear the transmission charges beyond the delivery point i.e., connection point of seller with CTU periphery and the discovered tariff of Rs. 4.02 (weighted) would result in approx. Rs. 4.62 per unit at NPCL's bus. On specific query of the Commission, Sh. Srivastava responded that average demand of May 2024 was 670 MW and the peak demand touched 760MW. He further added that at the power exchange, renewable power availability is not substantial, and the present quantum of solar power would be required to meet the RPO targets for this financial year.

### Commission's View

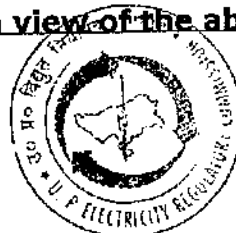
5. Section 63 of the Electricity Act, 2003, states that the Commission shall adopt the tariff arrived through transparent process of bidding in accordance with guidelines issued by Central Government. The said provision is reproduced below:

*"Section 63 (Determination of tariff by bidding process): Notwithstanding anything contained in section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government."*

6. **It is observed that the internal Standing Committee of NPCL has duly certified that bid evaluation has been done as per the provisions of the short-term bidding Guidelines dated 30.03.2016 issued by MoP and the RfP issued there under. The Commission has also noted that discovered tariff is competitive considering the power exchange rates for G-DAM during July 2022 to March 2023 and July 2023 to March 2024. In view of the above and pursuance of the**

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records placed, the Commission approves the Power Purchase Agreement dated 29.05.2024 between NPCL and M/s Tata Power Trading Company Ltd (i.e., source TP Saurya Ltd.) for the period 01.07.2024 to 31.03.2025 and adopts the discovered tariff through competitive bidding in accordance with Section 63 of the Electricity Act, 2003 as under:

| Source            | Period | Duration (Hrs.) | Contracted Capacity (MW) | Monthly Energy (MUs) | *Rate at Delivery Point (Rs/kWh) |
|-------------------|--------|-----------------|--------------------------|----------------------|----------------------------------|
| TP Saurya Limited | Jul-24 | 06:00-18:00     | 35                       | 6.250                | 4.05                             |
|                   | Aug-24 |                 | 35                       | 6.250                | 4.05                             |
|                   | Sep-24 |                 | 40                       | 6.912                | 4.05                             |
|                   | Oct-24 |                 | 50                       | 8.928                | 4.00                             |
|                   | Nov-24 |                 | 50                       | 8.640                | 4.00                             |
|                   | Dec-24 |                 | 35                       | 6.250                | 4.00                             |
|                   | Jan-25 |                 | 35                       | 6.250                | 4.00                             |
|                   | Feb-25 |                 | 40                       | 6.451                | 4.00                             |
|                   | Mar-25 |                 | 40                       | 7.142                | 4.00                             |

\*The rate is inclusive of trading margin.

Accordingly, the Petition stands disposed of.

(Sanjay Kumar Singh)

Member

(Vinod Kumar Srivastava)

Member (Law)

(Arvind Kumar)

Chairman

Place: Lucknow

Dated: 20.06.2024

