

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.235/AT/2024

Subject : Petition under Section 63 of the Electricity Act, 2003 for adoption of tariff for 900 MW Wind Solar Hybrid Power Projects (Tranche VII) connected to the Inter-State Transmission System and selected through a competitive bidding process as per the Guidelines of the Government of India.

Petitioner : Solar Energy Corporation of India Limited (SECI)

Respondents : NTPC Renewables Energy Private Limited and Ors.

Date of Hearing : **28.8.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Parties Present : Ms. Anusha Nagrajan, Advocate, SECI
Shri Shubham Arya, Advocate, PSPCL
Shri Akshat Jain, Advocate, Green Infra
Shri Abhimanyu Maheshwari, Advocate, Green Infra
Shri Amit Kumar, NTPC Renewable

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking the adoption of tariff of the 900 MW Wind-Solar Hybrid Power Projects connected with the inter-State Transmission System and selected through the competitive bidding process as per the "Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Wind Solar Hybrid Power Projects" dated 21.8.2023 ('the Hybrid Guidelines') issued by the Ministry of Power, Government of India. Learned counsel further submitted that vide Record of Proceedings for the hearing dated 22.7.2024, the Commission *inter alia* directed the Petitioner to clarify the reasons for delay in approaching this Commission as per Clause 12.4 of the Hybrid Guidelines and the Petitioner has filed its additional affidavit dated 10.8.2024 on the above aspect.

2. Learned counsel for the Petitioner submitted that on the previous occasions, the Commission had directed the Petitioner to only seek the adoption of tariff once the capacity is tied up under the PPAs & PSAs. In the present case, the e-Reverse Auction was concluded on 9.1.2024, and by 24.1.2024 (i.e. the date on which the timeline of 15 days expired), the capacity had not been tied up as neither the PPAs with the successful bidders had been executed nor had the Petitioner received DISCOMs' consent for execution of the PSAs. Learned counsel submitted that the Respondent, PSPCL, consented to the offered capacity only on 5.4.2024, and the PSA for the entire capacity was, thereafter, executed on 12.6.2024. In the meantime, the Commission vide order dated 1.6.2024 in Petition No.68/AT/2024 *inter alia* clarified that unlike the

earlier Guidelines issued by the Ministry of Power in regard to the adoption of tariff, the new Guidelines now include specific timelines for the distribution licensee or intermediary procurers to seek the adoption of tariff and in view of the said findings, the Petitioner immediately proceeded to file the present Petition on 14.6.2024 without waiting for execution of the PPAs, which came to be executed subsequently and have been placed on record vide affidavit dated 6.7.2024.

3. Learned counsel for Respondent No.6, PSPCL, submitted that the Respondent has already filed its reply and PSPCL has, as such, no objection to the adoption of tariff for the 900 MW Wind-Solar Hybrid Projects by the Commission as prayed for. However, the procurement by PSPCL in terms of the PSA dated 12.6.2024 will be subject to the final approval by the State Commission under Section 86(1)(b) of the Electricity Act, 2003.

4. Learned counsel for the Respondent Nos. 3 & 5 sought liberty to file a reply in the matter and requested to list the matter thereafter.

5. Considering the submissions made by the learned counsels for the parties, the Commission permitted the Respondent Nos. 3 & 5 to file their reply within four days with a copy to the Petitioner, who may file its rejoinder within four days thereafter.

6. The Petition will be listed for hearing on **10.9.2024**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)