



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2099 of 2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section with 86(1)(b) of the Electricity Act, 2003 for Approval of Power Sale Agreement dated 15.03.2024 entered into between Noida Power Company Limited and SJVN Limited for procurement of 100 MW Firm and Dispatchable Renewable Power from ISTS-Connected Renewable Energy (RE) Power Projects with Energy Storage System in India under Tariff-based Competitive Bidding on Long-Term Basis.

AND

IN THE MATTER OF

Noida Power Company Limited (NPCL),

Plot No. ESS, Knowledge Park- IV,

Greater Noida, Uttar Pradesh - 201310.

..... Petitioner

Versus

SJVN Limited (SJVNL),

Office Block, Tower - 1, 6th Floor, NBCC Complex,

East Kidwai Nagar, New Delhi - 110023

.....Respondent

FOLLOWING WERE PRESENT

1. Sh. Ajitesh Garg, Advocate, SJVNL
2. Sh. Pramod Behra, Sr. Manager, SJVNL
3. Sh. Altaf Mansoor, Advocate, NPCL
4. Sh. Tanay Chaudhary, Advocate, NPCL
5. Sh. Sanket Srivastava, NPCL
6. Sh. Abhishek Anand, Asst. Manager, NPCL

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ORDER

(DATE OF HEARING: 05.09.2024)

1. The Petitioner, NPCL has filed this Petition seeking approval for procurement of 100MW Firm and Dispatchable Renewable Power from ISTS-Connected Renewable Energy Projects with Energy Storage System under the PSA dated 15.03.2024 executed between NPCL and SJVNL. The prayers of the Petitioner are as follows:

- (a) Approve the procurement of 100 MW Firm and Dispatchable Renewable Power from ISTS-Connected Renewable Energy (RE) Power Projects with Energy Storage System on long-term basis i.e., for 25 years.
- (b) Approve the Power Sale Agreement executed on 15.03.2024 executed between SJVNL and the Petitioner.
- (c) 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
- (d) Pass any other order(s) as this Commission may deem fit in the facts and circumstances of the case.

Brief facts as stated in the Petition.

2. NPCL has following long-term tie-up for supply of power:
 - (a) 171MW RTC power from M/s DIL - approximately 158 MW RTC will be available at NPCL bus.
 - (b) 25MW Solar Power from M/s Adani Solar Energy Chitrakoot One Limited - approximately 13-14 MW will be available during day hours at NPCL bus.
 - (c) 25MW Solar Power from M/s Tata Power Renewable Energy Limited - approximately 13-14 MW will be available during day hours at NPCL bus.
 - (d) 10MW Wind Power from M/s PTC India Limited - approximately 6-7 MW RTC will be available at NPCL bus.
3. Central Electricity Authority (CEA) has carried out long-term load forecast of the Petitioner till FY 2033-34. Considering the load forecast of CEA and the current tie-up, there will be a telescopic increase in the deficit from FY 2024-25 onwards. The demand

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projections vis-à-vis the existing power purchase tie-up and the Power deficit for the Petitioner is provided in the below table:

Years	Average Demand (MW)	Peak Demand (MW)	Tie-up (MW)	Average deficit (MW)	Peak deficit (MW)
	A	B	C	D=A-C	E=B-C
2024-25	465	753	372	(93)	(380)
2025-26	531	864	372	(159)	(492)
2026-27	595	973	279	(316)	(694)
2027-28	664	1093	279	(385)	(813)
2028-29	743	1228	279	(464)	(949)
2029-30	825	1371	191	(634)	(1180)
2030-31	909	1517	191	(718)	(1326)
2031-32	991	1663	191	(800)	(1472)
2032-33	1078	1817	191	(887)	(1626)
2033-34	1167	1978	191	(976)	(1787)

4. The year wise capacity addition suggested by CEA under the outcome of the Resource Adequacy Planning are as under:

FY	COAL	WIND	RTC/FDRE*	SOLAR	BESS
2024-25	0	95	100	0	0
2025-26	0	95	40	100	50
2026-27	50	95	70	50	150
2027-28	50	95	70	50	250
2028-29	50	95	70	50	350
2029-30	50	95	50	50	450
2030-31	50	95	0	50	550
2031-32	50	95	0	50	650
2032-33	100	95	50	100	750
2033-34	100	95	50	100	850

*This requirement is exclusive of the 100 MW of RE-RTC capacity from SJVNL

5. CEA has suggested to contract additional Firm and Dispatchable Renewable Energy (FDRE) from FY 2024-25 onwards. Further, even the Petitioner as an "Obligated Entity" is required to procure upto 15% of its total consumption from renewable sources in accordance with UPERC (Promotion of Green Energy through Renewable Purchase Obligation) Regulations, 2010 as amended from time to time.
6. SJVNL wrote to the Petitioner vide its letters dated 17.08.2023 and 11.09.2023 inter-alia stating as follows:

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- a) SJVN has floated the RfS on 20.06.2023 for Selection of RE Power Developers for Supply of 1500 MW Firm and Dispatchable Power from ISTS- Connected Renewable Energy (RE) Power Projects with Energy Storage System in India under Tariff-based Competitive Bidding on Build-Own Operate (BOO) basis with "GREENSHOE OPTION" of additional capacity up to 1500 MW.
- b) The projects are expected to deliver the RE power within 24 to 30 months after signing of Power Sale Agreement/Power Purchase Agreement.
7. Subsequently, NPCL vide its letter dated 22.09.2023 provided its consent to offtake 100 MW Firm and Dispatchable RE RTC Power with Energy Storage System subject to the approval of this Commission. On 14.12.2023, SJVN informed the Petitioner regarding the discovered tariffs and requested the Petitioner to confirm the quantum of power, so that necessary action regarding signing of the PSA could be taken. The discovered tariffs are as follows:

Sr. No.	Tariff Discovered (Rs./kWh)	Project Capacity Awarded to Bidders				CUF Proposed by Bidders (%)
		Solar (MW)	Wind (MW)	ESS (MWh)	Project/Contracted Capacity (MW)	
1	4.38	225	350	63	250	74.50
2	4.38	200	300	60	200	74
3	4.38	200	403	50	200	75
4	4.39	56	191.4	91	150	60.25
5	4.39	80	160	20	80	80
6	4.39	150	150	30	120	70
7	4.39	200	200	46	184	75

Note: SJVN Trading Margin of Rs.0.07/kWh is applicable in addition to the above discovered tariff.

8. The Commission vide its Order dated 06.03.2024 in Petition No. 1526/2019 granted in principle approval for procurement of long-term power and permitted NPCL to enter PPA with SJVNL and further, directed it to file a separate Petition. Accordingly, NPCL entered into Power Sale Agreement (PSA) with SJVNL on 15.03.2024 for procurement of 100 MW FDRE from ISTS- connected Renewable Energy (RE) Power Projects with Energy Storage System on long-term basis i.e., for 25 years at a tariff of Rs. 4.38/kWh at delivery point under the terms of the PPA between SJVNL and the Renewable Power Developer /Renewable Energy Power Generator ("RPD/REPG") for entire term of agreement. In addition to this a trading margin of Seven (7) paisa/kWh will be paid to SJVNL.

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