

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2403 of 2024.

In the Matter of:

Petition under Section 63 read with Section 86 (1) (b) of the Electricity Act, 2003 for seeking adoption of tariff discovered under Competitive Bidding Process conducted vide RfS No. GUVNL/500 MW/ Solar (Phase XXV) dated 20.08.2024 issued by GUVNL for purchase of power through Competitive Bidding Process (followed by e-reverse auction) from 500 MW Grid connected Solar Photovoltaic Power Projects to be set up/ under construction/already commissioned projects anywhere in India with Greenshoe Option of additional capacity up to 500 MW without energy storage.

Petitioner : Gujarat Urja Vikas Nigam Limited
Represented By : Mr. H.N. Shah and Mr. A.H. Chavda

V/s.

Respondent No. 1 : M/s S.B.B. Mouldings Pvt. Limited
Represented By : Nobody was present.

Respondent No. 2 : M/s Kintech Synergy Pvt. Limited
Represented By : Mr. Ashok Shah

Respondent No. 3 : M/s Enertech Fuel Solutions Pvt. Limited
Represented By : Mr. Vishal Bhadauria

Respondent No. 4 : M/s Prozeal Green Energy Limited
Represented By : Mr. Prakash N. Chatwani

Respondent No. 5 : M/s Ausom Enterprises Limited
Represented By : Ld. Advocates Mr. Tirth Nayak and Mr. Yashraj Champawat

Respondent No. 6 : M/s Drashta Green Power Limited
Represented By : Mr. Ajay Shah

Respondent No. 7 : M/s SAEL Industries Limited
Represented By : Nobody was present.

CORAM:

Mehul M. Gandhi, Member

S.R. Pandey, Member

Date: 17/12/2024.

DAILY ORDER

1. The matter was kept for hearing on 26.11.2024.
2. Mr. H.N. Shah, appearing on behalf of the Petitioner GUVNL submitted that the Petitioner has filed the present Petition seeking adoption of tariff discovered under Competitive Bidding Process conducted vide RfS No. GUVNL/500 MW/Solar (Phase XXV) dated 20.08.2024 issued by GUVNL for purchase of power through Competitive Bidding Process (followed by e-reverse auction) from 500 MW Grid connected Solar Photovoltaic Power Projects to be set up/under construction/already commissioned projects anywhere in India with Greenshoe Option of additional capacity up to 500 MW without energy storage.
 - 2.1. He submitted that the Petitioner has initiated the bidding process and issued a tender notice on 20.08.2024 in two English Daily and one Gujarati newspapers. In response to the said tender, the Petitioner had received the bids from 12 bidders offering aggregate capacity of 795 MW. However, one of the bidders does not fall under the definition of 'Bidder' as per the terms of the RfS and accordingly, the said bidder is technically disqualified.
 - 2.2. He submitted that the date of opening of technical bids was on 15.10.2024 and financial bids of technically qualified bidders were opened on 22.10.2024 on e-bidding portal in the presence of Bidding Evaluation Committee. It is submitted that Gala Energy Pvt. Limited has emerged as H1 bidder as they have quoted the tariff of Rs. 2.97 per Unit and accordingly, eliminated being H1 bidder and the e-reverse auction of remaining bidders were conducted on e-bidding Portal on 22.10.2024 and the rate discovered in e-reverse auction was in the range of Rs. 2.55 - Rs. 2.62 per unit. It is further submitted that as per Clause No. 4.4.1 of RfS, the bidders who fall within the range of lowest tariff + 2% of the L1 tariff, may be declared as successful bidders at the discretion of the Petitioner GUVNL and accordingly, the discovered tariff of successful bidders was considered in range of Rs. 2.55-Rs. 2.56 per unit. The details of tariff discovered with capacity won by the bidders in the Petition are as under:

Sr. No.	Name of Bidders	Capacity (MW)	Tariff (Rs./kWh)
1	S.B.B. Mouldings Private Limited	10	2.55
2	Kintech Synergy Private Limited	50	2.55
3	Enertech Fuel Solutions Pvt. Limited	40	2.55
4	Prozeal Green Energy Limited	100	2.55
5	Ausom Enterprise Limited	50	2.55
6	Drashta Green Power Limited	10	2.55
7	SAEL Industries Limited	240	2.56

- 2.3. It is submitted that as the bucket size of tender is 500 MW capacity, the Respondent No. 7 i.e., SAEL Industries Limited has allocated 240 MW capacity against their 300 MW quoted capacity.
- 2.4. He also submitted that as per the provisions of the RfS, the Petitioner also offered additional capacity to all successful bidders under Greenshoe option equivalent to their won capacity in e-RA at L1 tariff of Rs. 2.55 per unit. It is submitted that in response to the said offer, only four bidders viz., (i) Kintech Synergy Pvt. Limited, (ii) Enertech Fuel Solutions Pvt. Limited, (iii) Drashta Green Power Limited and (iv) SAEL Industries Limited have accepted additional capacity of 50 MW, 203 MW, 7 MW and 240 MW respectively under the Greenshoe option at rate of L1 tariff of Rs. 2.55 per unit.
- 2.5. In response to the query of the Commission regarding the CUF quoted by the bidders, the representative appearing on behalf of the Petitioner submitted that the four bidders viz., (i) M/s S.B.B. Mouldings Pvt. Limited, (ii) M/s Kintech Synergy Pvt. Limited, (iii) M/s Enertech Fuel Solutions Pvt. Limited, and (iv) M/s Drashta Green Power Limited have stated their CUF as 22% whereas M/s Prozeal Green Energy Limited, M/s Ausom Enterprise Limited and M/s SAEL Industries Limited have stated their CUF as 27.50, 27% and 30% respectively. In response to the further query of the Commission regarding the guaranteed CUF stated by the bidders and its consequences on landed tariff the Petitioner has agreed to place on record relevant submissions in the matter for which one week' time has been sought for.
3. Ld. Advocate Mr. Tirth Nayak, appearing on behalf of the Respondent No. 5 M/s Ausom Enterprises Limited submitted that the Respondent has no objection to

adoption of tariff discovered under the Competitive Bidding Process conducted vide RfS No. GUVNL/500 MW/Solar (Phase XXV) dated 20.08.2024 issued by the Petitioner for procurement of power through Competitive Bidding Process (followed by e-reverse auction) from 500 MW Grid connected Solar Photovoltaic Power Projects to be set up/under construction/already commissioned projects anywhere in India with Greenshoe Option of additional capacity up to 500 MW without energy storage.

4. We have considered the submissions made by the Petitioner. We note that the Petitioner has filed this Petition seeking adoption of tariff discovered under Competitive Bidding Process conducted vide RfS No. GUVNL/500 MW/Solar (Phase XXV) dated 20.08.2024 issued by GUVNL for procurement of power through Competitive Bidding Process (followed by e-reverse auction) from 500 MW Grid connected Solar Photovoltaic Power Projects to be set up/under construction/already commissioned projects anywhere in India with Greenshoe Option of additional capacity up to 500 MW without energy storage.
- 4.1. We note that when the matter was called out, nobody was present on behalf of the Respondents No. 1 & 7, although the hearing notice was issued for the hearing to them. Moreover, the Commission has not received any communication from the Respondents about its inability to remain present in today's hearing on 26.11.2024. However, Office of the Commission is in receipt of the submissions from the Respondents No. 2 to 7 but no response has been filed by the Respondent No. 1. The Respondent No. 1 would be at liberty to file its submissions, if any, within week' time, with a copy to the Petitioner.
- 4.2. We have been observing that in many Petitions for adoption of tariff before this Commission, the Petitioner GUVNL has not been submitting all relevant details/documents or information to the bidding process etc. and the Commission had to seek such information. We also note that the Commission in Daily Order dated 02.05.2024 in Petition No. 2345 of 2024 has observed that the Petitioner has not submitted all details pertaining to bidding process, i.e., all the details since initiation of bidding process by publishing the public notice to completion of bidding process and filing of the Petition before the Commission for adoption of

tariff. In the present Petition also, it seems that the Petitioner has not provided all the details relating to the present bidding process conducted vide RfS dated 20.08.2024. The Petitioner is, therefore, once again directed to provide all the relevant details since initiation of bidding process by publishing the public notice to completion of bidding process and filing of the Petition before the Commission for adoption of tariff, within weeks' time in the present matter and also now onwards for all adoption of tariff petition.

4.3. We also note that the Petitioner has made their submissions and completed their arguments in the matter. As recorded above, as the representative of the Petitioner has agreed to place on record relevant submissions as stated in the above Paras 2.4 and 4.2 in the present matter, let the same be filed, if any, within week' time, from the date of this Order. The matter is reserved for Order thereafter.

5. Order accordingly.

Sd/-

[S. R. Pandey]
Member

Sd/-

[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 17/12/2024.