

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 601/GT/2020

Coram:

**Shri P.K Pujari, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member**

Date of Order: 27th July, 2021

In the matter of

Determination of project specific tariff in respect of 50 MW solar PV Power Project of THDC India Limited at Paivalike village, Kasargod District, Kerala

And

In the matter of

THDC India Limited,
Bhagirathi Bhawan,
Top Terrace, Bhagirathipuram,
Tehri Garhwal – 249001

.... Petitioner

Vs

1. Kerala State Electricity Board Limited,
Vydyuthi Bhavanam, Pattom,
Thiruvananthapuram– 695004

2. Renewable Power Corporation of Kerala Limited,
Vydyuthi Bhavanam, Pattom,
Thiruvananthapuram– 695004

3. Solar Energy Corporation of India Limited,
D-3, 1st Floor, Wing-A, Prius Platinum Building
District Centre, Saket
New Delhi-110017

.....Respondents



ORDER

The Petitioner, THDC has filed this petition seeking determination of project specific tariff for 50 MW Solar PV Power Project in terms of Regulations 7 and 8 of the Central Electricity Regulatory Commission (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2017 (hereinafter referred to as 'Renewable Tariff Regulations').

2. On 13.2.2015, the Petitioner THDC entered into a Memorandum of Understanding (MoU) with SECI for the development of Solar Power Projects on behalf of THDC. On 18.2.2015, a Memorandum of Understanding was also entered between SECI and KSEB for undertaking solar power projects for sale of power to KSEB. Thereafter, a meeting was held on 7.4.2015 under the chairmanship of Minister of Power, Government of Kerala for development of Solar Power Projects in the District of Kasargod in the State of Kerala for generation and sale of the said power to KSEB. A proposal was submitted by the Government of Kerala to the Ministry of New and Renewable Energy, Government of India for setting up of solar power projects under the Scheme for development of Solar Parks and Ultra Mega Solar Power Projects. On 19.03.2015, the Ministry of New and Renewable Energy gave in-principle approval for setting up of 200 MW Solar Park at Kasargod District in the State of Kerala and appointed SECI as the Implementing Agency. In pursuance of the above, on 31.3.2015, THDC, KSEB and SECI entered into a Tripartite Agreement for development of 50 MW Solar Photo Voltaic (PV) Power Project at Kasargod District in the State of Kerala for generation and sale of power to KSEB.

3. In terms of the aforesaid Tripartite Agreement, THDC has agreed to finance and own the Project and SECI, on behalf of THDC, has agreed to develop and



commission the Project through an Engineering, Procurement and Construction Agency/Contractor and operate and maintain the Project through an agency. On 16.1.2019, a Power Sale Agreement was entered into between THDC and KSEB. In terms of the PSA dated 16.1.2019, the Petitioner, THDC has agreed to sell power to KSEB and KSEB has agreed to purchase the electricity up to the contracted capacity of 50 MW for a period of twenty-five (25) years. In terms of Clause 1.2 of the PSA, RPCKL is the Solar Power Park Developer (SPPD) incorporated for the overall implementation of the 200 MW Solar Park at Kasargod District in the State of Kerala. The entire bidding process was hosted on Telecommunication Consultant India Limited portal. On 3.7.2019, SECI recommended to issue of Notification of Award to M/s Tata Power Solar System Limited for undertaking EPC Contract along with 10 years of O&M works for the 50 MW Solar PV Power Plant.

4. On 8.8.2019, THDC issued the letter of award to M/s. Tata Power Solar Systems Ltd. On 11.9.2019, Contract Agreements were executed between THDC and Tata Power Solar Systems Limited for Design, Engineering, Procurement & Supply, Construction & Erection, Testing, Commissioning and comprehensive Operation & Maintenance for 10 years of 50 MW Solar PV Power Project for Supply & Service and Operation & Maintenance. Clause 7 of the PSA provides for a ceiling on the tariff as under

7.0 TARIFF: The tariff will be at a levellised tariff not exceeding Rs.3.10/kWh, which is subject to further reduction based on the project cost discovered through reverse bidding for selection of the EPC Contractor or the rate as approved by Kerala State Electricity Regulatory Commission, whichever is lower.

5. The Petitioner has submitted that the terms and conditions for generation and sale of electricity to the Respondent KSEB as a distribution licensee has been proposed to be implemented consistent with section 61 and 86(1)(e) of the Electricity



Act, 2003 to promote solar (non-conventional) energy sources in the State of Kerala and to enable KSEB to utilize such purchase of power towards meeting the Renewable Purchase Obligation. The Petitioner has submitted that though the tariff computation as per the petition works out to Rs.3.49/kWh, it has already agreed for the tariff of Rs.3.10/kWh under the PSA, thus giving the benefit to the Respondent KSEB. The Petitioner has sought liberty to approach the Commission for relaxation in the norms without any in manner affecting the tariff of Rs.3.10/kWh as agreed between the parties under the PSA.

6. The Petition has been listed for hearing on 27.7.2021. However, the Petitioner vide its letter dated 20.7.2021 has submitted the following:

“2. However, the Petitioner does not wish to pursue the Petition No.601/GT/2020 and requests that it may be permitted to withdraw the said Petition.

3. In the circumstances, we humbly request the Hon’ble Commission to kindly consider our request favourably...”

7. Thus, the Petitioner vide its letter dated 20.7.2021 has sought the permission of the Commission to withdraw the present petition, Petition No.601/GT/2020.

8. The Petition is being decided by circulation. In view of the submissions of the Petitioner vide its letter dated 20.7.2021, the Petitioner is permitted to withdraw the present petition.

9. Petition No. 601/GT/2020 is disposed of as withdrawn in terms of the above.

Sd/-
(Pravas Kumar Singh)
Member

Sd/-
(Arun Goyal)
Member

Sd/-
(I.S. Jha)
Member

Sd/-
(P.K.Pujari)
Chairperson

