

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 114/MP/2022

Subject : Petition under Section 79 (1) (f) read with Section 79 (1) (b) of the Electricity Act, 2003 filed by Green Infra Renewable Energy Limited seeking to install additional 5% capacity for its 249.9 MW Wind Power Project located in Tuticorin District, Tamil Nadu in accordance with the Scheme for setting up of 1000 MW ISTS - connected Wind Power Projects dated 22.10.2016 issued by the Ministry of New & Renewable Energy and Request for Selection Document for Scheme for setting up of 1000 MW ISTS - connected Wind Power Projects dated 28.10.2016.

Petitioners : Green Infra Renewable Energy Ltd. and Anr

Respondents : Solar Energy Corporation of India Ltd. and 5 Ors.

Petition No. 115/MP/2022

Subject : Petition under Section 79 (1) (f) read with Section 79 (1) (b) of the Electricity Act, 2003 filed by Green Infra Wind Energy Limited seeking to install additional 5% capacity for its 250 MW Wind Power Project located in Gujarat in accordance with the Guidelines for transparent bidding process for Implementation of Scheme for Setting up of 1000 MW ISTS-connected Wind Power Projects dated 04.05.2017 issued by the Ministry of New & Renewable Energy and Request for Selection Document for Scheme for setting up of 1000 MW ISTS - connected Wind Power Projects dated 31.05.2017.

Petitioner : Green Infra Wind Energy Ltd.

Respondents : Solar Energy Corporation of India Ltd. and 3 Ors.

Date of Hearing : 22.8.2022

Coram : Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P. K. Singh, Member

Parties Present : Shri Vishrov Mukerjee, Advocate, Green Infra
Shri Rohit Venkat, Advocate, Green Infra
Ms. Anamika Rana, Advocate, Green Infra

Record of Proceedings

Cases were called out for virtual hearing.

2. Learned counsel for the Petitioners submitted that the present Petitions have been filed, *inter alia*, seeking to install additional 5% capacity with respect to 249.9 MW Wind Power Project located in Tuticorin, Tamil Nadu and 250 MW Wind Power



Project located in Kutch, Gujarat respectively. Learned counsel submitted that Clause 3.5 of the guidelines dated 22.10.2016 and dated 4.5.2017 issued by Ministry of New and Renewable Energy (MNRE) Guidelines as well as Clause 3.9(c) of the Request for Selection (RfS) issued by the Respondent, SECI for setting-up of the Wind Power Projects allow the Project Developers to install the wind turbine generators of total rated capacity not more than 150% of Project capacity allotted to them. Despite above position, SECI has, however, rejected/disallowed such additional 5% capacity on wholly baseless grounds. Learned counsel submitted that there is no prohibition under MNRE Guidelines or the RfS documents to exercise such right after commissioning of the Projects and the proposed additional 5% capacity will not violate the terms of PPAs as the said additional capacity does not result in injecting more power than the capacity allotted and does not have an adverse financial impact on the distribution licensees. Learned counsel added that the distribution companies have already been impleaded as party to the Petitions.

3. After hearing the learned counsel for the Petitioners, the Commission ordered as under:

(a) Admit. Issue notice to the Respondents.

(b) The Petitioners to serve copy of the Petitions on the Respondents and the Respondents to file their reply to the Petitions, if any, within two weeks after serving copy of the same to the Petitioners, who may file their rejoinder within two weeks thereafter.

(c) Parties to comply with the above directions within specified timeline and no extension of time shall be granted.

4. The Petitions shall be listed for hearing on 20.10.2022.

By order of the Commission

**Sd/-
(T.D. Pant)
Joint Chief (Law)**