

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 254/AT/2022

Subject : Petition under Section 63 of the Electricity Act, 2003 for Adoption of Tariff discovered through Competitive Bidding Process for procurement of power from the 1200 MW Grid-Connected Solar PV Power Project at Village- Kalijal & Matuon ki dhani, Tehsil- Shiv, District- Barmer and at Village Rawadi Chak, Tehsil- Fatehgarh, District- Jaisalmer in Rajasthan as per the Standard Bidding Guidelines of Ministry of Power, GOI dated 3.8.2017 and its amendments thereof.

Date of Hearing : 29.11.2022

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

Petitioner : NTPC Limited (NTPC)

Respondents : XI Xergi Power Private Limited and Anr.

Parties Present : Ms. Sakie Jakharia, Advocate, NTPC

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking adoption of tariff for procurement of power from 200 MW solar PV power project discovered through competitive bid process carried out by the Petitioner as per 'Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects' issued by the Ministry of Power, Government of India dated 3.8.2017 ('the Guidelines'). Learned counsel submitted that Petitioner has also filed an additional affidavit dated 12.11.2022 furnishing its response to the certain queries as raised vide Record of Proceedings for the hearing dated 11.10.2022. Learned counsel further submitted that after filing of the Petition, the Petitioner has been able to tie-up additional 200 MW with the Respondent No.2, GRIDCO Ltd. by way of Power Supply Agreement dated 30.9.2022 and has, consequently, entered into another Power Purchase Agreement on 24.11.2022 for this 200 MW. Learned counsel submitted that the Petitioner has moved an IA, bearing Diary No. 489/2022, seeking adoption of tariff for procurement of this additional power from 200 MW solar PV power project to be set-up by the Respondent No.1. Learned counsel, accordingly, prayed to issue notice in the IA.

2. In response to the specific query of the Commission with regard to the deviations taken by the Petitioner in the bid documents from the provisions of the Guidelines, if any, learned counsel replied in negative. Learned counsel further stated that the Petitioner has also filed a conformity certificated dated 10.8.2020 in this regard.

3. In response to the another query of the Commission with regard to the validity of the bids submitted by the bidders, learned counsel submitted that the bids were

valid till 15.10.2022 and the total tied up capacity now stood at 400 MW as the Petitioner could not identify the buyers/distribution licensees beyond this capacity.

4. After hearing the learned counsel for the Petitioner, the Commission directed to register IA, after removal of defects, if any, and issue notice therein. The parties were directed to complete the pleadings on IA, if any, within two weeks with one week to each side.

5. The Petition along with IA shall be listed for hearing on 22.12.2022.

By order of the Commission

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