

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 258/AT/2021

Subject : Petition under Section 63 of the Electricity Act, 2003 for adoption of tariff for 400 MW Renewable Energy Projects connected to Inter-State Transmission System and selected through competitive bidding process as per the Guidelines dated 3.8.2017 (Solar), 8.12.2017 (Wind), 11.10.2019 (Draft)/ 14.10.2020 (notified) (Wind-Solar Hybrid) of the Government of India.

Date of Hearing : 21.1.2022

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

Petitioner : Solar Energy Corporation of India Limited (SECI)

Respondents : ReNew Solar Power Private Limited (RSPPL) and 4 Ors.

Parties Present : Shri M. G. Ramachandran, Sr. Advocate, SECI
Ms. Tanya Sareen, Advocate, SECI
Ms. Poorva Saigal, Advocate, SECI
Ms. Neha Singh, SECI
Shri Atulya Kumar Naik, SECI
Shri Shibasish Das, SECI
Shri Mudit jain, SECI
Ms. Shikkha Ohri, Advocate, RSPPL
Ms. Surabhi Pandey, Advocate, RSPPL
Shri Ishan Nagpal, RSPPL

Record of Proceedings

Case was called out for virtual hearing.

2. Learned senior counsel for the Petitioner submitted that the present Petition has been filed seeking adoption of tariff for 400 MW Renewable Energy Projects selected through the competitive bidding process as per the Guidelines dated 3.8.2017 (Solar), 8.12.2017 (Wind) and 11.10.2019 (draft)/ 14.10.2020 (notified) [Wind-Solar Hybrid] as issued by the Government of India. Learned senior counsel submitted that pursuant to the competitive bid process for selection of renewable energy power developer for round-the-clock supply of 400 MW renewable power, ReNew Solar Power Private Limited ('RSPPL') has been selected as the successful bidder and SECI has entered into Power Purchase Agreement with ReNew Surya Roshni Private Limited (Project Company of RSPPL) for 400 MW @ Rs 2.90/kWh as the first year tariff, which shall have an escalation @ 3% per annum up to the end of 15 contract years and shall be fixed thereafter for the remaining term of the PPA. Learned senior counsel submitted that SECI has signed the Power Supply Agreements with West Bengal State Electricity Distribution Company Limited (100 MW), India Power Corporation Limited (100 MW) and Uttarakhand Power



Corporation Limited (100 MW) for an aggregate capacity of 300 MW and is in process of tying up the balance capacity with buying utility/ distribution licensee.

3. Learned senior counsel further submitted that the Petitioner has placed on the record all the requisite details including Bid Evaluation Committee Report and conformity certificate, etc. Learned senior counsel in support of his contention relied upon the SECI's letter dated 26.11.2020 and e-mail dated 13.1.2021 to Ministry of New and Renewable Energy ('MNRE') requesting for certain modifications to the Standard Bidding Guidelines to accommodate the concerns of various stakeholders, to allow SECI to incorporate the changes in the scheme documents, and to enable SECI to enter into PSAs and PPAs, etc. and the letters dated 1.3.2021 and 18.12.2020 issued by MNRE to SECI, in exercise of its powers to issue clarification/ modification under the Guidelines, whereby MNRE gave ex-post facto approval for changes in respect of certain provisions vis-à-vis Standard Bidding Guidelines in respect of (i) bids that have been issued but not closed, and (ii) bids that have been issued and closed by SECI.

4. The learned counsel for the Respondent, RSPPL submitted that the Respondent has already filed its reply to the Petition and supports the present Petition.

5. After hearing the learned senior counsel and learned counsel for the parties, the Commission ordered as under:

(a) Admit. Issue notice to the Respondents.

(b) The Petitioner to serve copy of the Petition on the Respondents immediately, if not already served and the Respondents to file their reply, if any, by 7.2.2022 after serving copy of the same to the Petitioner, who may file its rejoinder, if any, by 21.2.2022;

(c) The Petitioner to file following details/information by 7.2.2022:

(i) Comparative statement indicating the steps and processes followed by the Petitioner in the bidding/ tender, mapping the same to the corresponding enabling provisions of the Guidelines issued by the Central Government.

(ii) Brief explanation as to how the said RfS/tender, under which the developers were free to set-up and supply the power from any Renewable Energy based Power Projects, would be covered by the Guidelines for Solar, Wind or Hybrid Projects.

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

6. The Petition shall be listed for hearing in due course for which separate notice will be issued.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)

