

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.214/AT/2023**

- Subject : Petition under Section 63 of the Electricity Act, 2003 for adoption of tariff for 600 MW Solar Power Projects (Tranche VIII) connected to the Inter-State Transmission System (ISTS) and selected through competitive bidding process as per the guidelines of the Government of India.
- Date of Hearing : **20.9.2023**
- Coram : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : Solar Energy Corporation of India Limited (SECI)
- Respondents : SBE Renewables Fifteen Private Limited and 4 Ors.
- Parties Present : Ms. Anushree Bardhan, Advocate, SECI  
Ms. Tanya Sareen, Advocate, SECI  
Shri Hemant Singh, Advocate, ASEJPL  
Shri Lakshyajit Singh, Advocate, ASEJPL  
Shri Harshit Singh, Advocate, ASEJPL  
Shri Ayush Raj, Advocate, ASEJPL  
Ms. Lavanya Panwar, Advocate, ASEJPL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking the adoption of 600 MW Solar Power Projects (Tranche VIII) connected to the Inter-State Transmission System (ISTS) and selected through a competitive bidding process as per the “Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power Grid Connected Solar PV Power Projects” dated 3.8.2017 issued by the Central Government and its amendments thereto . Learned counsel submitted that since the Petitioner has been able to tie-up only 600 MW capacity (out of the total bid capacity of 1200 MW) with Bihar Discoms under the Power Supply Agreement (PSA) dated 13.1.2023, the Petitioner has correspondingly entered into the Power Purchase Agreement (PPA) dated 22.3.2023 with Adani Solar Energy Jodhpur Six Private Limited (i.e. Project Company of the successful bidder-SBE Renewable Fifteen Private Limited) on 22.3.2023 only for such capacity. Learned counsel further submitted that the Petitioner by its affidavit dated 24.8.2023 has furnished its clarification regarding the delay in execution of the PPA & PSA after the conclusion of the bid process, in terms of the Record of Proceedings for the hearing dated 11.8.2023.

2. Learned counsel for Respondent No.2, Adani Solar Energy Jodhpur Six Private Limited (ASEJSPL), submitted that since Respondent No.1 was not mapped on the e-filing portal of the Commission, it could not file its reply in the timeframe indicated vide Record of Proceedings for the hearing dated 11.8.2023. Learned

counsel accordingly prayed for liberty to file a reply in the matter and also for the opportunity for an oral hearing thereafter. Learned counsel further submitted that the Respondent, in its reply, intends to point out certain Change in Law events that have taken place after the bid deadline, and as held by the Appellate Tribunal for Electricity (APTEL) in its judgments, the Commission is required to recognize such Change in Law events at the stage of adoption of tariff.

3. Considering the submissions made by the learned counsel for the Petitioner and the Respondent No.2, the Commission permitted the Respondent No.2 to file its reply within a week with a copy to the Petitioner who may file its rejoinder within a week thereafter.

4. The Petition will be listed for hearing on **30.10.2023**.

**By order of the Commission**

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