

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 118/AT/2024

Subject : Petition under Section 63 of the Electricity Act, 2003 for Adoption of Tariff for procurement of 1200 MW power from ISTS-Connected Solar PV Power Projects in India under Scheme for flexibility in Generation and Scheduling of Thermal/ Hydro Power Stations through bundling with Renewable Energy and Storage Power notified by Ministry of Power, Government of India vide its Gazette Notification dated 26.08.2022.

Petitioner : NTPC Limited (NTPC)

Respondents : NTPC Renewable Energy Limited and Ors.

Date of Hearing : **22.5.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member

Parties Present : Shri Venkatesh, Advocate, NTPC
Shri Suhael Buttan, Advocate, NTPC
Shri Nikunj Bhatnagar, Advocate, NTPC
Shri S. Vallinayagam, Advocate, TANGEDCO
Ms. Priyadarshini, Advocate, PFCCL
Shri R. Alamelu, TANGEDCO
Shri R. Kathiravan, TANGEDCO
Ms. Masoom Bajaj, PFCCL

Record of Proceedings

Learned counsel for the Petitioner, NTPC, submitted that the present Petition has been filed seeking the adoption of tariff for the procurement of 1200 MW power from ISTS connected Solar PV Power Projects under the 'Scheme for Flexibility in Generation and Scheduling of Thermal/Hydro Power Stations through Bundling with Renewable Energy and Storage Power' dated 12.4.2022 read with the 'Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected RE Power Projects for utilisation under the scheme for flexibility in Generation and Scheduling of Thermal/ Hydro Power Stations through bundling with Renewable Energy and Storage Power' dated 26.8.2022 ("Flexibility Guidelines") as notified by the Ministry of Power, Government of India. Learned counsel submitted the Commission has already considered similar matters, namely, Petition Nos.222/AT/2023 (DVC v. ReNew Solar Power Pvt. Ltd. and Ors.) and 233/AT/2023 (NTPC Ltd. v. Solairedirect Energy India Pvt. Ltd. and Ors.) in orders dated 5.3.2024 and 17.3.2024 respectively. Learned counsel further submitted that pursuant to the liberty granted by the Commission vide Record of Proceedings for the hearing dated 10.4.2024, Respondent No.2, ACME Cleantech Solution Pvt. Ltd. has filed its reply and has mainly supported the Petition. Learned counsel added that one of the distribution licensees had challenged the Flexibility Guidelines before the Hon'ble High Court. However, so far, no order has been passed by the Hon'ble High Court staying the operation of the Flexibility Guidelines.



2. Learned counsel for Respondent, TANGEDCO, sought liberty to file its reply in the matter.

3. In response, learned counsel for the Petitioner submitted that various concerns of the Respondent, TANGEDCO *qua* procurement of power under the Flexibility Guidelines, have already been dealt with by the Commission in the orders dated 5.3.2024 and 17.3.2024 in Petition Nos. 222/AT/2023 and 233/AT/2023 respectively, and therefore, while permitting the Respondent to file its reply, the matter may be reserved for order. Learned counsel for Respondent, TANGEDCO, as such, did not object to the said submission of the learned counsel for the Petitioner.

4. Considering the submissions made by the learned counsel for the parties, the Commission ordered as under:

(a) The Respondent, TANGEDCO, is permitted to file its reply within a week with a copy to the Petitioner, who may file its rejoinder, if any, within a week thereafter.

(b) BPC to submit the affidavit within a week stating that the bid documents are in line with the provisions of the Flexibility Guidelines and that no deviation has been taken from the said Guidelines. The Petitioner to also coordinate the above aspect with the BPC to ensure timely compliance.

5. Subject to the above, the Commission reserved the matter for order.

By order of the Commission

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