

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 119/AT/2024

Subject : Petition under Section 63 of the Electricity Act, 2003 for adoption of usage charges for 1990 MW Solar Photovoltaic (PV) Power Station (Tranche–III) connected to the Inter-State Transmission System and selected through competitive bidding process under Central Power Sector Undertaking Scheme Phase-II dated 5.3.2019 as per the Standard Bidding Guidelines of MoP dated 3.8.2017

Petitioner : NTPC Limited & Anr.

Respondents : Indian Renewable Energy Development Agency Limited & Ors.

Date of Hearing : **22.5.2024**

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

Parties Present : Shri Venkatesh, Advocate, NTPC
Shri Anant Singh, Advocate, NTPC
Ms. Nehal Jain, Advocate, NTPC
Shri S. Vallinayagam, Advocate, TANGEDCO
Shri R. Kathiravan, TANGEDCO
Shri R. Alamelu, TANGEDCO

Record of Proceedings

Learned counsel for the Petitioners submitted that the present Petition had been filed seeking adoption of the usage charges for the 1990 MW Solar Photovoltaic (PV) Power Station (Tranche-III) connected with the Inter-State Transmission System selected through a competitive bidding process under the Central Power Sector Undertaking (CPSU) Scheme Phase-II dated 5.3.2019 as per the Standard Bidding Guidelines dated 3.8.2017. Learned counsel further submitted that previously, the Commission had adopted the usage charges for the 1692 MW Solar PV Power Stations (Tranche I & II) selected through a competitive bidding process under CPSU Scheme Phase-II & Standard Bidding Guidelines by its order dated 13.12.2021 in Petition No. 174/AT/2021 (NTPC Ltd. v. SECI and Ors.). Learned counsel further submitted that in the present case, Power Usage Agreements have been signed with the Southern & Northern Power Distribution Co. of Telangana Ltd., Damodar Valley Corporation, Military Engineer Services, Madhya Pradesh Power Management Co. Ltd., and J&K Power Corporation Limited. Learned counsel added that in the present case, the Petitioners herein are generating companies, who had participated in the bid conducted by the IREDA on the basis of the Viability Gap Funding (VGF).

2. Considering the submissions made by the learned counsel for the Petitioners, the Commission observed that Respondent No.1, IREDA, who acted in the capacity of the Bid Process Coordinator for Tranche III Projects under the CPSU Scheme, is yet to file the relevant bid documents including the evaluation report(s) and certification to the effect that the bid was conducted as per the provisions of the CPSU Scheme



and the Standard Bidding Guidelines dated 3.8.2017. Accordingly, the Commission directed Respondent IREDA to file its affidavit within a week, placing on record the relevant bid documents along with a certification that the bid process was conducted as per the provisions of applicable Guidelines and no deviations were taken from the provisions of the Guidelines in respect thereof. The Commission also directed the Petitioner to coordinate with Respondent No.1 on the above aspect in order to ensure timely compliance. The Commission permitted the Petitioner to upload its written submissions within a week.

3. Subject to the above, the Commission reserved an order in the matter. However, the Commission observed that the Petition will be listed for further hearing if required.

By order of the Commission

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