

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 202/MP/2024

- Subject : Petition under Section 79(1)(b) read with Section 63 of the Electricity Act, 2003 to place on record subsequent developments after passing of the order dated 2.4.2022 by this Commission in Petition No. 286/AT/2021 for the adoption of tariff of solar power projects of 8900 MW connected to inter-State Transmission System linked with Setting-up of Solar Manufacturing Plant, selected through competitive bidding process as per the Guidelines dated 3.8.2017 of the Central Government as amended from time to time.
- Petitioner : Solar Energy Corporation of India Limited (SECI)
- Respondents : Andhra Pradesh Southern Power Distribution Co. Ltd. and Ors.
- Date of Hearing : **28.10.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
- Parties Present : Shri M.G. Ramachandran, Sr. Advocate, SECI
Ms. Anushree Bardhan, Advocate, SECI
Ms. Shirsa Saraswati, Advocate, SECI
Shri Aneesh Bajaj, Advocate, SECI

Record of Proceedings

Learned senior counsel for the Petitioner submitted that the present Petition has been filed to place on record the certain subsequent developments after the passing of the order dated 2.4.2022 by this Commission in Petition No. 286/AT/2021 in the matter of SECI v. Azure Power India Pvt. Ltd. and Ors. Learned senior counsel further submitted that there has been a substitution of power developer, namely, from Azure to Adani on account of the surrender of the 2333 MW by Azure, and pursuant thereto, SECI has entered into the PPAs dated 26.12.2023 and 13.3.2024 with Adani for this 2333 MW and the Supplementary PSAs dated 29.12.2023 and 1.3.2024 to the Tripartite PSA dated 1.12.2021 between SECI, AP Discoms, and Government of Andhra Pradesh.

2. In response to the specific query of the Commission as to whether the transaction of the above nature was permissible under the tender document issued by SECI, learned senior counsel for SECI submitted that while the provisions of the Guidelines and the RfS documents as such did not restrict such transaction, the PPA as issued along with the RfS, at Article 15.1, permitted the Assignment of the PPA. Learned senior counsel further sought liberty to file a brief note on the aspects as to how the above transaction is permissible under the Guidelines and Bid documents and in addition, is in the larger public interest.

3. Considering the above, the Commission permitted the Petitioner to file its brief note, as above, within two weeks.

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

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)