

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 98/MP/2024

Subject : Petition under Section 79 of the Electricity Act, 2003 read with Article 9.2 of the Power Purchase Agreements dated 17.07.2018 for the development of 75 MW ISTS connected wind project between Adani Wind Energy Kutchh Six Limited [Formerly known as Adani Renewable Energy (GJ) Limited] and Maharashtra State Electricity Distribution Company Limited seeking reliefs for the additional expenditure incurred due to occurrence of Change in Law event.

Petitioner : Adani Wind Energy Kutchh Six Limited (AWEKSL)

Respondent : Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

Date of Hearing : **6.11.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member

Parties Present : Ms. Poonam Verma Sengupta, Advocate, AWEKSL
Ms. Sakshi Kapoor, Advocate, AWEKSL
Shri Pradyumn Sharma, Advocate, AWEKSL
Shri Vyom Chaturvedi, Advocate, MSEDCL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition had been filed invoking Article 9 of the Power Purchase Agreement (PPA) dated 17.7.2008 entered into with Respondent, MSEDCL, seeking the relief of Change in Law event, i.e., issuance of the Working Group Report dated July 2022 post the bid submission date, i.e., 22.2.2018, which led to the mandate of installation of Reactive Power Compensation Devices viz. capacity banks.

2. Learned counsel for Respondent, MSEDCL submitted that the Respondent is contesting the maintainability of the present Petition as the entire supply from the Petitioner's Project under the PPA dated 17.7.2008 is only to MSEDCL (single State Procurer).

3. In response, learned counsel for the Petitioner submitted that the Petitioner's Project is located in the State of Gujarat, and accordingly, there is a composite scheme of generation and sale of electricity in more than one State.

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

(a) Admit and issue notice to the Respondents, subject to just exceptions;

(b) The Respondent to file their consolidated reply on maintainability as well as on merits, if any, within five weeks with a copy to the Petitioner, who may file its rejoinder(s), within four weeks thereafter.

(c) The Petitioner to file the following details/information on an affidavit within four weeks:

(i) The following information with the relevant supporting documents:

RE plant Particulars						
Project Details	Project Name					
	Installation Capacity (in MW)					
	Bid Cut-Off Date					
	SCOD					
	COD (date wise with capacity declared COD)					
	Technology (Solar/Wind/Hybrid)					
	Project Location					
	Nearest IMD Station					
			Design Parameters			
Parameter			Considered while bidding	As per CEA Regulations	As per WGR report	Corresponding clause of applicable CEA regulation and WGR
Point of Reference						
Point of Interconnection (POI)						
Ambient Temperature considered	Temperature (°C)					
	Basis for consideration of such temperature					
Temperature extreme considered	Temperature (°C)					
	Basis for consideration of such temperature					
Rated active power at ambient and at extreme temperature						
Reactive power capability at Rated active output at ambient and at extreme temperature						
Reactive Power Capability* at temperature extreme	Dynamic	Capacity (MVar)				
		Equipments [§]				
	Static	Capacity (MVar)				
		Equipments [§]				

Particular			Considered while bidding	Post WGR 2022
Financial implication against Reactive Power equipments (Copy of Purchase Orders to be enclosed, where placed) in Rs crore	Towards installation of Dynamic compensation devices			
	Towards installation of Static compensation devices			
Date of submission of Reactive Power study report to CTUIL/ concerned RLDC #				
Status of Compliance to Reactive Power Capability				
<p>* - Provide supporting study report showing required MVAr capability.</p> <p>\$ - Reactive Power support equipments installed/planned to be installed (as per design) before the Working Group Report, 2022, and the additional equipments installed/ to be installed after the Working Group Report and the financial impact thereof.</p> <p># - Detailed Study Reports to be submitted.</p>				

(ii) Clarify how the installation of the 'Capacitor Bank' fulfils the requirement of providing the dynamically varying reactive power support as per the provision of the CEA (Technical Standard for connectivity to the Grid) Regulations and/ or CEA Working Group Report, 2022.

(d) Grid-India to file the following information on an affidavit within four weeks in regard to the Petitioner project:

Project Details	Installed Capacity (in MW)			
	COD			
Project Particulars		Compliance status before issuance of Working Group Report	Changes, if any, after issuance of Working Group Report for compliance	Corresponding CEA Regulation
Temperature for compliance of Dynamic Reactive Power capability (in °C)				
	Dynamic			

Reactive Power Compensation device (in MVAR)	Static			
Date of submission of Reactive Power compliance report				
Status of Compliance of Reactive Power Capability. *				

* Enclose the Action taken report in case of non-compliance.

5. The Petition will be listed for the hearing along with the batch of Petitions involving the common issue of the Working Group Report, 2022 being a Change in Law event, on **16.1.2025**.

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