

Ref No.: Legal/Regulatory – 01/2024

To,
The Secretary,
Central Electricity Regulatory Commission,
3rd & 4th Floor, Chanderlok Building,
36, Janpath, New Delhi- 110001

07th February 2024

Dear Sir,

Subject: Submission of Comments on Draft Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024

Referring to the subject matter aforementioned subject, we have appended our observations as Annexure-I to this correspondence. We respectfully request the Hon'ble Commission to consider our highlighted points during the finalization of the Draft Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024.

Yours Sincerely,
for, Greenko Energies Private Limited

A handwritten signature in blue ink, appearing to read "Aadarsh Anand".

Aadarsh Anand
9570553498
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Authorised Signatory

Annexure I- Comments/ Observations on Draft CERC (Terms and Conditions of Tariff) Regulations, 2024

Sl. No.	Suggested Draft CERC (Terms and Conditions of Tariff) Regulations, 2024	Comments/ Suggestion
1.	<p>(7) In case the saleable scheduled energy (ex-bus) of a hydro generating station during a year is less than the saleable design energy (ex-bus) for reasons beyond the control of the generating station, the generating station may directly recover the shortfall in energy charges in six equal interest-free monthly instalments after adjusting for DSM Energy in the immediately following year and shall be subject to truing up at the end of the tariff period.</p> <p>Provided that in case actual generation from a hydro generating station is less than the design energy for a continuous period of four years on account of hydrology factor, the generating station shall approach the Central Electricity Authority with relevant hydrology data for revision of design energy of the station.</p>	<p>a) IPPs can now directly recoup energy charge shortfalls via six equal, interest-free monthly instalments. This streamlined process not only eases administrative efforts but also mitigates financial strain arising from energy generation shortfalls</p> <p>b) The draft regulations subject the recovery of shortfall charges to truing up at the end of the tariff period. This rectifies any over or under-recoveries, ensuring fairness for IPPs and consumers, thereby fostering transparency and trust in the tariff process.</p> <p>c) If hydro generation falls short of design energy for four continuous years, the station can seek design energy revision from the Central Electricity Authority using actual hydrology data. This provision, acknowledging hydro power's uncertainties, allows IPPs to adjust their design energy, ensuring tariffs align with actual generation potential and safeguarding IPPs from under-recovery risks. <u>We further suggest that same revised design should be made available retrospectively from last four years.</u></p>
2.	<p>(8) Any shortfall in the energy charges on account of saleable scheduled energy (ex-bus) being less than the saleable design energy (ex-bus) during the tariff period 2019-24, which was beyond the control of the generating station and which could not be recovered during the said tariff period shall be recovered in accordance with clause (7) of this Regulation.</p>	<p>If energy charges fall short due to uncontrollable factors causing less saleable scheduled energy than the design energy during 2019-24, it can be recovered as per clause (7). This lets Independent Power Producers (IPPs) recover previous shortfalls, ensuring financial stability and no penalties for uncontrollable factors.</p>