

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 145/AT/2026

Subject : Petition under Section 63 of the Electricity Act, 2003 for adoption of tariff for Rs. 3.39/kWh in respect of 1 MW (4x250 kW) Surface Hydrokinetic Power Project to be established in Nangal Hydel Channel, downstream of Kotla Hydro Power Station, BBMB for period of 40 years seeking adoption of tariff discovered through a transparent, competitive bidding process.

Petitioner : Bhakra Beas Management Board (BBMB).

Respondents : MACLEC Technical Project Laboratory Pvt. Ltd. (MTPLPL) and Ors.

Date of Hearing : **6.5.2026**

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

Parties Present : Shri Shubham Arya, Advocate, BBMB
Ms. Shirin Gupta, Advocate, BBMB
Shri Sanjay Sidana, BBMB
Ms. Anamika, BBMB

Record of Proceedings

At the outset, the learned counsel for the Petitioner submitted that, pursuant to the directions *vide* the Record of Proceedings dated 16.4.2026, a compliance affidavit dated 24.4.2026 has been filed. The learned counsel, while highlighting that the Surface Hydro Kinetic Turbine (SHKT) Technology is still at an evolving stage, submitted that the Central Electricity Authority, *vide* OM dated 20.11.2024, has classified the capacity commissioned using HKTs under the "Hydro category". However, as there are no specific guidelines issued by the Central Government governing tariff discovery for Hydrokinetic Power Projects, the tender process was conducted in accordance with the Petitioner's internal procurement guidelines, CVC Manual for procurement of works, and the existing CEA/ MNRE guidelines for hydro-based RESCO models. The learned counsel also submitted that the entire bidding process was conducted transparently and competitively.

2. Further, the learned counsel, while drawing the attention to the judgments of the Hon'ble Supreme Court and the APTEL as highlighted in the compliance affidavit, submitted that where the guidelines issued by the Central Government under Section 63 exist, the Commission is bound to act in accordance with them; however, in the absence of the specific guidelines of the Central Government, the Commission is empowered to exercise its regulatory powers under Section 79(1)(b) of the Act. He also submitted that the regulatory powers under Sections 79(1)(b) and 86(1)(b) of the

Act empower the CERC and SERC, respectively, to grant necessary approvals for the bidding process and to approve the Power Purchase Agreements (PPAs), including the tariff for the procurement of electricity.

3. None appeared on behalf of the Respondents, nor have the Respondents filed a reply in the matter.

4. Considering the submissions made by the learned counsel for the Petitioner, the Commission directed the Petitioner to furnish the following information on an affidavit, within two weeks, with an advance copy to the Respondent(s):

- a) Details of the e-reverse auction process and bidding milestones;
- b) Copy of the Conformity Certificate;
- c) Clarification regarding the mode of sale of power from the said project.

5. The Respondent(s) are directed to file their respective replies, as a last opportunity, if any, within a week, with a copy to the Petitioner, who may file its rejoinder, if any, within a week thereafter.

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

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