

**BIHAR ELECTRICITY REGULATORY COMMISSION**  
PATNA

**ORDER SHEET**

**Case No. :-** 14/2020, 15/2020 & 16/2020

**Petitioner :-** Chief Engineer (PMC), BSP(H)CL

**Opposite Parties :-** NIL

**Subject :-** Petition u/s 86(1)(b) of the Electricity Act, 2003 read with Regulation 10.2.8 of BERC (Power Purchase & Procurement Process of Licensee) Regulations, 2018 seeking Regulatory approval for Procurement of 300 MW & 350 MW Wind Power from SECI respectively on long term basis and 300 MW Solar Power from SECI on long term basis.

Date of Order	Order with Signature	Office notes as action taken on order
07-07-2020	<p>Hearing through video conferencing was taken up today as scheduled. From the side of Discoms (Petitioners) Shri Abhijeet Kumar, Chief Engineer (Commercial) accompanied by his other colleagues represented the case whereas from SECI side Shri Atulya Kumar Naik and other colleagues were present during the video conferencing to present their case.</p> <p>2. Shri Abhijeet Kumar, Chief Engineer (PMC) BSPHCL vide its letter no. 262 dated. 06.07.2020 has sought adjournment for 10 days for filing additional submission from his end.</p> <p>3. During the hearing through video conferencing today, Shri Abhijeet Kumar Chief Engineer presenting the case prayed for adjournment for 10 days through his letter citing the reason that he is studying the surplus situation as submitted earlier and will file additional submission to this point. Shri Atulya Kumar Naik presenting SECI threw light on the weighted average (pooled) tariff rate vis-a-vis project/developer-wise tariff adopted by the CERC and submitted that the matter is pending in the Ministry of New and Renewable Energy (MNRE) and SECI is following up the matter and sought time to submit the required reply after obtaining it from MNRE. During the last hearing several issues</p>	

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	<p>were discussed including the issue of justification for buying at proposed pooled rates which are linked with SCOD vis-a-vis weighted average rates linked with energy generated. Shri Naik from SECI admitting the variability of weighted average rate with actual generation, informed the commission that the billing will be done provisionally on pooled rate but will be revised annually based on the weighted average rate derived on the basis of actual generation and any access/short payment will be refunded/charged to the buyer. However, the commission does not find any such clause in the Power Sale Agreement.</p> <p>4. In view of the above, the commission admitting the prayer of BSPHCL as well as SECI, grant time with a direction that the SECI as well as BSPHCL shall submit their reply on the aforementioned issues by <b>21.07.2020</b>.</p> <p>Let the cases be listed on <b>24.07.2020</b> at <b>11.00 AM</b> for hearing.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- <b>(Rajeev Amit)</b> Member</p> </div> <div style="text-align: center;"> <p>Sd/- <b>(S.K Negi)</b> Chairman</p> </div> </div>	