

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Suo-Motu Petition No.1872/2020.

In the Matter of:

Monitoring of compliance of Renewable Purchase Obligation by distribution licensees for the FY 2017- 18 under the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and subsequent amendments made thereto.

Respondent No. 1	:	Gujarat Urja Vikas Nigam Limited
Represented by	:	Shri A.N. Khambhata and Ms. Girija Dave
Respondent No. 2	:	Torrent Power Limited (Dahej)
Represented by	:	Shri Chetan Bundela along with Shri Jignesh Langalia and Ms. Luna Pal
Respondent No. 3	:	Deendayal Port Trust
Represented by	:	Nobody was present.
Respondent No. 4	:	GIFT Power Company Limited
Represented by	:	Shri Rakesh Inala
Respondent No. 5	:	Gujarat Energy Development Agency
Represented by	:	Shri D. J. Vatsraj and Ms. Namrata Bhuptani.

CORAM:

**Shri Anand Kumar, Chairman
Shri P. J. Thakkar, Member**

Date: 10/08/2020.

DAILY ORDER

1. The matter was listed on 07.08.2020 for virtual hearing through Video Conferencing, physical presence being not insisted on account of prevailing COVID 19 pandemic and containing its spread. All the Respondents were

intimated regarding the said Suo Motu Proceedings and hearing thereof through letter dated 23.06.2020.

2. The Commission vide Daily Orders dated 09.06.2020 in Petitions No. 1754 of 2020 and 1785 of 2020 filed by Torrent Power Limited and MPSEZ Utilities Pvt. Limited respectively regarding their RPO compliance and revision of RPO targets specified by the Commission for FY 2017-18 decided to initiate the process of Suo-motu proceedings for verifying the compliance of RPO by other licensees - Gujarat Urja Vikas Nigam Limited, Torrent Power Limited (Dahej), Deendayal Port Trust and GIFT Power Company Limited for the FY 2017-18.
 - 2.1. Moreover, GEDA being the State Nodal Agency for monitoring of the RPO compliance is also a Respondent No. 5 in the present petition.
 - 2.2. The Commission also issued public notice dated 22.06.2020 in two Gujarati newspapers and in one English newspaper for inviting comments/suggestions from the stakeholders.
 - 2.3. Further, the Office of the Commission vide Letter No. 0624/GERC/Legal/2020 dated 23.06.2020 forwarded the copy of the present Suo-Motu Petition to the above mentioned Respondents and also intimated the date of hearing in the present matter.
 - 2.4. Shri A. N. Khambhata appearing on behalf of Respondent No. 1, GUVNL submitted that as per the directives of the Commission in Suo-Motu Petition, Respondent GUVNL has filed their submissions vide affidavit dated 15.07.2020. He submitted that GUVNL has complied with the RPO for FY 2017-18 by achieving total RPO of 10.03% against the set RPO target of 10% specified by the Commission. He further submitted that the Respondent No. 1 vide its letter dated 23.07.2018 and email dated 24.07.2018 had forwarded the

final RPO Compliance Report for FY 2017-18 showing compliance of 10.03% to the Commission as well as to GEDA as against 9.43% as RPO compliance intimated earlier by the Respondent No. 1 vide letter and email dated 11.05.2018. It was on provisional basis, which is reflected in Annexure-1 of the Suo-Motu Petition under the status report of Obligated Entities for FY 2017-18.

- 2.5. Shri Chetan Bundela appearing on behalf of Respondent No. 2, TPL-Dahej submitted that as per the directives of the Commission in Suo-Motu Petition, TPL-Dahej has filed their submissions vide affidavit dated 26.06.2020. He submitted that Respondent No. 2, TPL-Dahej has not only complied with the total RPO target of 10% for FY 2017-18 specified by the Commission but there is surplus of 6.50 MUs after compliance.
- 2.6. Shri Rakesh Inala appearing on behalf of Respondent No. 4, GIFT Power Company Limited submitted that as directed by the Commission in Suo-Motu Petition, the Respondent has filed their submissions regarding RPO compliance vide affidavit dated 28.07.2020. He further submitted that GIFT Power Company Limited is sourcing their power requirements from UGVCL as an HTP-1 consumer which includes the Renewable Energy component also. Hence, they comply with the RPO requirement to the extent of RPO compliance by UGVCL.
- 2.7. Ms. Namrata Bhuptani appearing on behalf of Respondent No. 5, GEDA submitted that as directed by the Commission in Suo-Motu Petition, the Respondent GEDA has filed their submissions vide affidavit dated 28.07.2020.
3. On a query from the Commission as to why GUVNL is working out RPO compliance on the basis of estimated energy and not submitting the RPO compliance as per actual energy, Shri A. N. Khambatta submitted that since at the beginning of any financial year, the estimated energy approved by the

Commission in MYT/MTR Order is only available with the Respondent, the RPO was being worked out on basis of same and thereafter, at the end of the financial year when the records of actual energy is available, the RPO compliance is reworked considering the same. He submitted that accordingly, the final RPO Compliance of Respondent No. 1 for FY 2017-18 as intimated to Commission vide letter dated 23.07.2018 was made on the basis of actual energy is different as compared with the provisional RPO compliance Status Report of Obligated Entities for FY 2017-18 as mentioned at Annexure-I referred at para 11 of the Suo Motu Petition. He further submitted that now the Respondent has started submitting the RPO compliance on the basis of actual energy pursuant to the directives of the Commission.

4. On a further query from the Commission as to whether any comments/suggestions have been received by the Respondents from stakeholders, the representatives appearing on behalf of the Respondents submitted that no objections/comments have been received from the stakeholders by them.
5. We have considered the submissions made by the parties. We note that the Commission has received the submissions from following Respondents:
 - (a) Torrent Power Limited vide affidavit dated 26.06.2020;
 - (b) Gujarat Urja Vikas Nigam Limited vide affidavit dated 15.07.2020;
 - (c) GIFT Power Company Limited vide affidavit dated 28.07.2020;
 - (d) Deendayal Port Trust vide affidavit dated 28.07.2020;
 - (e) Gujarat Energy Development Agency vide affidavit dated 28.7.2020.

- 5.1. We note that the Respondent No. 3 Deendayal Port Trust neither remained present during today's proceedings nor made any written communication

about their inability to remain present despite being served the hearing notice to them in advance.

- 5.2. We further note that pursuant to public notice dated 22.06.2020 issued by the Commission, the Suo-Motu Petition was uploaded on the website of the Commission. However, no objections/suggestions/comments have been received from the stakeholders by the Commission.
- 5.3. We also note the submission made by the Respondents present during today's virtual hearing that no objections/suggestions/comments have been received by them from any stakeholders.
- 5.4. We note that all the Respondents have filed their RPO compliance details, made their submissions and completed their arguments in the matter. In view of this, we decide to conclude the hearing in the matter. The matter is now reserved for order.
6. We order accordingly.

Sd/-
[P. J. THAKKAR]
Member

Sd/-
[ANAND KUMAR]
Chairman

Place: Gandhinagar.

Date: 10/08/2020.