

7. The Petitioner would like to submit that they have complied with the RPO requirement for FY 2019-20. However, there is a surplus of 18.66 MUs on overall basis.
8. The Petitioner respectfully submit that it has made necessary arrangement to fulfill its obligation by entering into long term power purchase agreement. Accordingly, the Petitioner has achieved Non-solar RPO of 14.75% against the prescribed RPO of 8.80%.
9. The Petitioner respectfully submit that it has fulfill its obligation by using renewable attribute of Solar Projects for captive consumptions of its consumer as per Gujarat Solar Policy – 2015 and Purchase Renewable Energy Certificates (RECs) for remaining, in view of Regulation 5.1 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010. Accordingly, the Petitioner has achieved solar RPO of 5.02% against the prescribed RPO of 5.50%.
10. The petitioner would like to highlight that the clause 4.1 and 4.2 of the GERC (Procurement of energy from Renewable Sources) Regulation, 2010 and subsequent amendments provides that

*"4.1 Each distribution licensee shall purchase electricity (in KWh) from renewable sources, at a defined minimum percentage of the total consumption of its consumers including T&D losses during a year. Similarly, Captive and Open Access user(s) / consumer(s) shall purchase electricity (in KWh) from renewable energy sources, at a defined minimum percentage of his/her total consumption during a year.*

*The defined minimum percentages are given in the table.*

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in term of energy in kWh)			
	Wind	Solar	Others (Biomass, Bagasse, MSW, etc.)	Total
(1)	(2)	(3)	(4)	(5)
2019-20	8.05	5.5	0.75	14.30

*If the above mentioned minimum quantum of power purchase either from solar or wind or Others (Including Biogas, Biomass, Bagasse, Hydro and MSW) is not available in a particular year of FY 2017-18 to 2021-22, then in such cases, additional renewable energy available either from Solar or Wind or Others shall be utilized for fulfillment of RPO in accordance with Column 5.*

*"4.2 The Commission may, suo-motu or at the request of a licensee, revise the percentage targets for a year as per clause 4.1 of these Regulations keeping in view supply constraints or other factors beyond the control of the licensee."*

*Niranjan Shah*



Hence, Aforesaid regulation confers powers upon commission to allow shortfall of Solar RPO to be compensated through surplus of Non-solar RPO in line with GERC (Procurement of energy from Renewable Sources) Second Amendment, 2018 Regulation.

11. Based on details submitted herein above, the Petitioner humbly requests the Hon'ble Commission to kindly allow to compensate shortfall of 1.65 MUs solar RPO by surplus of 20.31 MUs Non-Solar RPO for FY 2019-20 as reasons for shortfall, were beyond the control of the Petitioner.

**Prayers:**

In the facts and circumstances mentioned above, it is most respectfully prayed that this Hon'ble Commission may be pleased to:

- a. Consider the submissions as above.
- b. Allow to compensate shortfall of Solar RPO with surplus Non-Solar RPO for FY 2019-20.
- c. Allow additions / alterations / changes modifications to the submissions.
- d. Condone any inadvertent omissions/errors/shortcomings.
- e. Afford reasonable opportunity of personal hearing before passing any orders in the matter.
- f. Grant any relief/s as it deems fit and appropriate under the circumstances of the case and in the interest of justice.



For, MPSEZ Utilities Limited

*Nirav Shah*

Place: Mundra

Date: 28.07.2020

Nirav Shah

(Authorized Signatory)





**BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY  
COMMISSION AT GANDHINAGAR**

Filing No. \_\_\_\_\_

Case No. \_\_\_\_\_

**IN THE MATTER OF**

Filing Petition for Compliance of the Gujarat Electricity Regulator Commission (Procurement of Energy from Renewable Sources) Regulations, 2010 and its subsequent amendments notified by the Commission

**AND**

**PETITIONER**

MPSEZ Utilities Limited,  
Adani Corporate House, Shantigram,  
Near Vaishno Devi Circle,  
S.G Highway, Khodiyar,  
Ahmedabad - 382 421



**AFFIDAVIT IN SUPPORT**

I, Nirav Anil Shah, son of Shri Anil Madhusudan Shah aged about 50, on behalf of MPSEZ Utilities Limited, Adani Corporate House, Shantigram, Near Vaishno Devi Circle, S.G Highway, Khodiyar, Ahmedabad - 382 421, do hereby solemnly affirm and state as under :

1. I say that I am duly authorized by Petitioner Company and am conversant with the facts of the present case and hence, competent to swear the present affidavit.
2. I say that I have read contents of the accompanying submissions and I have understood the contents of the same.
3. I say that the contents of the accompanying submissions are based on the records of petitioner maintained in normal course of business and believed by me to be true.

*Nirav Shah*  
DEPONENT

**VERIFICATION**

I, the deponent above named, do hereby verify the contents of the above affidavit to be true to the best of my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at Ahmedabad on this 28<sup>th</sup> day of July, 2020

*Nirav Shah*  
DEPONENT

30896/20  
28/7/2020

Signed Before me  
*[Signature]*  
RAVILAL K. MAHESHWARI  
Advocate Notary  
At - Mundra Dist. - Kutch  
Gujarat (India)



adani

Ports and  
Logistics

Ref: MUPL/GERC/RPO/2019-20/18082020  
Date: 18<sup>th</sup> August, 2020

To,

The Secretary,  
Gujarat Electricity Regulatory Commission (GERC)  
6<sup>th</sup> Floor, GIFT ONE,  
Road 5-C, Zone 5, GIFT CITY,  
Gandhinagar-382355, Gujarat - India

Sub.: Declaration for MUPL Petition of RPO Compliance for FY 2019-20

Ref.: 1. MUPL Petition for RPO compliance for FY 2019-20 dated 04.08.2020  
2. GERC/Legal/2020/No.0881 dated 13.08.2020

Dear Sir,

In reference to the petition filed by MPSEZ Utilities Limited (Petitioner) for RPO compliance for FY 2019-20 on 04.08.2020, we hereby give the following declaration to the Hon'ble Commission:

"Petition for RPO compliance for FY 2019-20 has not been raised by the Petitioner before any other competent forum, and that no other competent forum is currently seized of the matter or has passed any orders in relation thereto".

Kindly acknowledge the receipt of the same.

Thanking you,

Yours Sincerely,

For MPSEZ Utilities Limited

Authorised Signatory



MPSEZ Utilities Limited  
(Formerly MPSEZ Utilities Private Limited)  
Adani Corporate House, Shantigram,  
Nr. Vaishno Devi Circle, S. G. Highway,  
Khodiyar, Ahmedabad - 382421  
Gujarat, India

Tel: +91 79 2555 5801  
Fax: +91 79 2555 6490  
info@adani.com  
www.adani.com  
CIN: U45209GJ2006PLC051323

Registered Office: Adani Corporate House, Shantigram, Nr. Vaishno Devi Circle, S. G. Highway, Khodiyar, Ahmedabad - 382421, Gujarat, India