

October 14, 2020

As per MR. No. 2632 / 19.10.2020
 of Rs. 10,000 = 00 Received.
 Through RTGS on 14
 14.10.2020

✓ (Ex. CA 912)
 19/10/20 P. accept the fees of
 10,000/- subject to verification
 GERC (Procurement of Energy
 Regulations, 2010) 2020
 19/10/2020
 AD (Legal)

To,
 The Secretary
 Gujarat Electricity Regulatory Commission
 6th Floor, GIFT ONE, Road 5C, Zone 5,
 GIFT City, Gandhinagar

Sub: Filing of Petition for revision of minimum quantum of purchase (in %) from renewable energy sources for FY 2019-20

Dear Sir,

With reference to the aforementioned subject, we are filing a petition for revision of minimum quantum of purchase (in %) from renewable energy sources for FY 2019-20 under the provisions of Regulation 4.1 and 4.2 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 for Ahmedabad/Gandhinagar and Surat license areas.

Accordingly, we have remitted Rs. 10,000 in favour of the Hon'ble Gujarat Electricity Regulatory Commission. The details of remittance are as under:

Particulars	Details
1. Name of the Petitioner/Applicant	Torrent Power Limited
2. Address of the Petitioner/Applicant	Torrent Power Ltd., Samanvay, 600, Tapovan, Ambawadi, Ahmedabad - 380015
3. Petition No., If any	

W. Amin
 AD (Legal) / Ex (Legal)
 Process
 P.K.
 20/10/2020

RECEIVED
 No - 4032
 Date: 19 OCT 2020

Particulars	Details
4. Subject Matter	Petition for revision of minimum quantum of purchase (in %) from renewable energy sources for FY 2019-20 under the provisions of Regulation 4.1 and 4.2 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010
5. Details of the Fee Remitted	
(a) UTR/DD/Cheque No.	N286201273705776
(b) Date of Remittance	12-10-2020
(c) Amount Remitted	10,000/-
(d) Bank Name & Branch	HDFC Bank Ltd NAVRANGPURA EXTN

We request you to kindly acknowledge the receipt.

Thanking you,
Yours Sincerely,



Chetan Bundela
Vice President (Corporate Affairs)

Encl: As above

BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY
COMMISSION AT GANDHINAGAR

Filing No. _____

Case No. _____

IN THE MATTER OF

Petition for revision of minimum quantum of purchase (in %) from renewable energy sources for FY 2019-20 under the provisions of Regulation 4.1 and 4.2 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010

AND

IN THE MATTER OF

Torrent Power Ltd.,
"Samanvay", 600, Tapovan,
Ambawadi, Ahmedabad – 380015

.....PETITIONER

THE PETITIONER ABOVE NAMED RESPECTFULLY FILES ITS SUBMISSIONS AS UNDER:

1. Torrent Power Limited, is a Company incorporated under the Companies Act, 1956. Torrent Power Ltd (hereinafter referred to as "TPL-D" or the "Petitioner") is filing this petition in its capacity as the licensee of Ahmedabad, Gandhinagar, and Surat areas.
2. The Hon'ble Commission in exercise of the powers conferred under Sections 61, 66, 86 (1) (e) and 181 of the Electricity Act 2003 (36 of 2003), has issued the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 vide

its Notification No. 03 of 2010 dated 17th April, 2010 (hereinafter referred to as RPO Regulations) for promoting the sale of power from renewable energy sources and for procurement of energy from renewable sources by distribution licensee within the State of Gujarat. In the RPO Regulations, the Hon'ble Commission has specified the minimum percentage for procurement of power from Wind, Solar and Other Sources ("Obligation"). Subsequently, the Hon'ble Commission issued the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (First Amendment) Regulations, 2014 dated 04.03.2014 revising Obligation under RPO Regulations.

3. The Hon'ble Commission has further revised the Obligation through Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (Second Amendment) Regulations, 2018 vide its Notification No. 1 of 2018 on 21st April, 2018. As per the said Notification, the RPO obligations of the obligated entities for FY 2019-20 is under:

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in terms of energy in kWh)			
	Total	Wind	Solar	Biomass, Bagasse and others
FY 2019-20	14.30%	8.05%	5.5%	0.75%

4. In compliance to the above, the Petitioner has made sincere efforts to fulfil the RPO through purchase of Renewable Energy.
5. Accordingly, the status of compliance of RPO of TPL-D for FY 2019-20 is tabulated as under:

(In MUs)

Particulars	TPL-D
Energy Requirement	11,704.53
RE Procurement	
Wind energy to be procured (@8.05%)	942.21
Solar energy to be procured (@5.5%)	643.75
Biomass/Bagasse/Others (@0.75%)	87.78
Total (14.30%)	1,673.75

Particulars	TPL-D
Compliance (Non-Solar)	
Wind	1,031.94
Non-Solar REC	-
Compliance	1,031.94
Compliance (as % of Energy Requirement)	8.82%
Compliance (Solar energy)	
Solar	360.77
Solar-REC	-
Compliance	360.77
Compliance (as % of Energy Requirement)	3.08%
Total Shortfall/(Surplus)	281.04

6. In case of wind, the Petitioner has made efforts to fulfill its obligation by entering into long term arrangements. Accordingly, the Petitioner has achieved the RPO of 8.82% for wind against RPO of 8.05%.
7. In case of RPO for Others category, the Petitioner would like to submit that it has encountered the following issues beyond its control:
- During FY 2017-18, the Petitioner had signed the tripartite agreement for procurement of power, from 15 MW MSW plant located at Gyaspur (Ahmedabad). This plant is scheduled to be commissioned only in March 2021.
 - The installed capacity for Biomass/Bagasse/Mini Hydro category in the State is as under.

Installed Capacity (MW)	Biomass	Mini Hydro
As on 31-03-15	41.10	8.56
As on 31-03-16	41.10	8.56
As on 31-03-17	41.10	8.56
As on 31-03-18	41.10	20.56
As on 31-03-19	41.10	20.56
As on 31-03-20	41.10	60.60

Source: SLDC Annual Report

- It can be seen from the above that there is no capacity addition during FY 2014-15 to FY 2019-20 for Biomass. Additionally, 12 MW capacity

addition during FY 2017-18 & 40.04 MW capacity addition during FY 2019-20 in Mini Hydro was not available to the Petitioner. In fact, the Petitioner has not received any offer for supply of power from above sources during FY 2019-20.

- d. As against increase of the RPO for others category from 0.5% in FY 2018-19 to 0.75% during FY 2019-20, there is no corresponding addition in the installed capacity.
8. Under the circumstances, the Petitioner requests the Hon'ble Commission to revise the target of 0.75% for other category for FY 2019-20.
 9. In case of solar, the Petitioner has made necessary arrangements to fulfil the compliance including entering into long term solar PPA. Accordingly, the Petitioner could achieve the RPO of 3.08%. However, the Petitioner could not fulfill the solar RPO due to following issues which are beyond its control:
 - a. The RPO for FY 2019-20 has been amended vide Notification dated 21st April, 2018 and the solar RPO targets were increased substantially from 1.75% for FY 2017-18 to 4.25% for FY 2018-19 and 5.50% for FY 2019-20 i.e. steep rise of 2.50% for FY 2018-19 and thereafter 1.25% for FY 2019-20.
 - b. During FY 2019-20 the Petitioner had initiated the competitive bidding process but due to prevailing circumstances and uncertainty regarding applicability of safeguard duty, the Petitioner had to annul the process.
 - c. Considering lead time for commencement of supply under any long term arrangement about 15-18 months, it was not possible to get supply of electricity in the same Financial Year.
 10. Based on the above, it can be seen that the actions taken by the Petitioner are bona fide.

11. The Regulation 4.2 of the Hon'ble GERC (Procurement of Energy from Renewable Sources) 2010 provides that:

"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."

12. Based on above, the Petitioner humbly requests the Hon'ble Commission to kindly revise the minimum percentage target for purchase of power from renewable energy sources for the FY 2019-20.

13. Further, the Regulation 4.1 of Hon'ble GERC (Procurement of Energy from Renewable Sources) 2010, as amended, provides that

"4.1..

If the above mentioned minimum quantum of power purchase either from Solar or Wind or Others (including 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 utilised for fulfilment of RPO in accordance with Column 5"

14. From the details mentioned hereinabove, it can be seen that the Petitioner has achieved RPO of 8.82% against 8.05% for wind. Accordingly, the Petitioner proposes to adjust surplus wind with shortfall in solar RPO as per the provisions of Regulation 4.1.

15. Prayers

The Petitioner prays the Hon'ble Commission:

- a) To admit the petition.
- b) To revise the percentage target of purchase from renewable energy sources for FY 2019-20 keeping in view the supply constraints and the factors beyond the control of the licensee.
- c) To adjust the surplus RPO of wind RPO with shortfall in solar RPO as per provisions of Regulation 4.1.
- d) To afford the reasonable opportunity of hearing to the Petitioner before passing any orders in the matter.
- e) To allow additions/ alterations/ changes/ modification to the submissions.
- f) To condone any inadvertent omissions/ errors/ shortcomings.
- g) To grant any other relief/s as it deems fit and appropriate under the circumstances of the case and in the interest of justice.

Declaration that the subject matter of above petition 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.

Place: Ahmedabad

Date: 08.10.2020



Authorized Signatory

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

Filing No. _____

Case No. _____

IN THE MATTER OF



Petition for revision of minimum quantum of purchase (in %) from renewable energy sources for FY 2019-20 under the provisions of Regulation 4.1 and 4.2 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010

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IN THE MATTER OF

Torrent Power Ltd.,
"Samanvay", 600, Tapovan,
Ambawadi, Ahmedabad – 380015

.....PETITIONER

AFFIDAVIT

I, Chetan Bundela, son of Sh. Manharlal Bundela, aged about 48 years, working as Vice President of Torrent Power Limited, the Petitioner, having office at Samanvay, 600, Tapovan, Ambawadi, Ahmedabad – 380 015 do solemnly affirm and state on oath as under :

1. That I am duly authorized by the Petitioner Company to swear this Affidavit.





2. That the facts stated in the submissions are based on record and files of the Petitioner Company and they are true and correct to my knowledge, information and belief and I believe the same to be true.

Solemnly affirmed at Ahmedabad on this 8th day of October, 2020.

(DEPONENT)



Sr.No. : 2611E101.....2020

Sohini B. Patel
SOHINI B. PATEL
NOTARY
GOVT. OF INDIA
08/10/2020



SOLEMNLY AFFIRMED
BEFORE ME

Sohini B. Patel
SOHINI B. PATEL
NOTARY
GOVT. OF INDIA
08/10/2020

