

ARY  
H. J. ZALA  
AREA: BARD  
DIST: \*

2.14 In view of above and as submitted in the foregoing paras, it is evidently clear that there were constraints in availability of renewable energy / inadequate capacity addition and factors beyond the control of GUVNL / Distribution Companies and therefore Hon'ble Commission is humbly requested to exercise its power under Regulation 4.2 and revise the targets of RPO for FY 2019-20 as per actual RPO compliance.

2.15 Further, as per Regulation 7.2, the Regulation 9 "Consequences of Default" can be invoked in case Distribution Licensee fails to meet the RPO despite availability of renewable energy sources.

2.16 In the above background, in light of constraints in availability of renewable energy and invocation of Regulation 7.2 which is the pre-condition for invocation of Regulation 9 is not applicable.

2.17 Furthermore, invocation of Regulation 9 and levy of regulatory charge shall put unwarranted burden on GUVNL / Distribution Companies and eventually on the end-consumers of the State. It is pertinent to highlight that the preamble of Electricity Act 2003, National Electricity Policy 2005 and Tariff Policy 2006 & Amendments thereto lay emphasis on both promotion of renewable energy as well as safeguarding the interest of the consumers. It is therefore humbly requested not to invoke Regulation 9 and exempt GUVNL / Distribution Companies from the consequences thereof.

2.18 In light of above, Hon'ble Commission is humbly requested to exercise their powers to relax/waive-off the shortfall in RPO Compliance of GUVNL for FY 2019-20 by revising the RPO Targets as per Actuals.

### 3.0 PRAYER:

The Petitioner hereby most respectfully submits and prays as under:-

- i. Hon'ble Commission may kindly relax/waive-off the shortfall in RPO Compliance of GUVNL for FY 2019-20 by revising the RPO



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Targets as per Actuals and exempt GUVNL / Distribution Companies from the consequences under Regulation 9 of the RPO Regulations towards shortfall in RPO Compliance, the same being on account of factors beyond control of GUVNL / Distribution Companies and there is no willful default or failure on part of GUVNL / Distribution Companies for RPO compliance of FY 2019-20.

- ii. Pass any other order which Hon'ble Commission may deem fit.



GUJARAT URJA VIKAS NIGAM LIMITED  
- PETITIONER

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