

Date of Order	Order with Signature	Office notes as action taken on order
22-06-2021	<p style="text-align: center;"><u>Case No. 14/2020, 15/2020 & 16/2020</u></p> <p>Hearing through video conferencing was taken up today as scheduled. From the side of Petitioner, BSPHCL, Shri Arun Kumar Sinha, Director (Technical) represented the case whereas from side of SECI, Smt. Proova Saigal, Shri M.G Ramachandran Sr. Advocate, Tanya Sareen Advocate and other colleagues were present during the video conferencing to present the instant case.</p> <p>2. The instant petitions were heard by earlier bench of commission but could not complete the hearing due to COVID-19 Pandemic and subsequently they retired. The present Commission perused the same petition filed by the petitioner in case no. 14/2020, 15/2020 & 16/2020 and decides to hear these petitions afresh and together as they are alike.</p> <p>3. During the hearing through video conferencing today, Shri M.G Ramachandran Sr. Advocate from the side of SECI presented the case and narrated in detail, the basis on the Trading margins. Further, Shri M.G Ramachandran Sr. Advocate, also narrated about weighted average (pooled) tariff rate vis-a-vis project wise tariff adopted by the CERC. During the hearing several other issues came for discussion particularly the requirement of RE power to meet RPO trajectory, stranded power in view of surplus power situation, rebate on timely payment of power, criteria for declaring CoD of each project etc.</p> <p>4. In view of above, commission directed the petitioners to furnish the following:</p> <p>a) Provide detailed calculation of anticipated requirement/ deficit of solar/ Non-solar power for 10 years (FY 2021-22 to FY 2031-32) assuming the current level (FY 2021-22) of RPO trajectory as the RPO trajectory beyond FY 2021-22 has not been notified yet.</p> <p>b) It is observed that long term PPA executed by Discoms is more than the demand, resulting in surplus power situation in the state of Bihar. Therefore, the petitioner should furnish calculation considering 10 years of how much conventional power will get stranded due to instant procurement and for what period?</p> <p>c) In case no. 15/2020, Para 14.2 of “Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects” stipulates as:</p> <p style="text-align: center;"><i>“.....In cases of early part-commissioning, till SCD, the procurer may purchase the generation till SCD, at 75% (Seventy Five Percent) of the PPA Tariff.....”</i></p>	

Since instant case is related to part commissioning of 300 MW solar power project. In view of this, clarify your procurement with respect to above clause of guidelines.

d) Discoms/SECI shall furnish Schedule date of CoD as per PPA of each project, What is contract requirement of initial trial operation and CoD of each project and its proof thereof, delay in CoD date, and revise CoD dates of each project.

e) It is observed that, the PSAs are not uniform as some of the clauses of the PSAs are in variance to each other as mentioned below:

(i) In case no. 16/2020 and 14/2020, Clause 6.3.4 of PSA (350 MW Wind) stipulated that "A rebate of 2% shall be payable to the buying entity for the payment made within a period of 5 working days of the date of presentation of bills through email." Whereas, Clause 6.3.4 of PSA (300 MW Wind) stipulated that "A rebate of 2% shall be payable to the buying entity for the payment made within a period of 3 working days of the date of presentation of bills through email."

(ii) Further, the above mentioned clauses are not in line with CERC (Terms and Conditions of Tariff) Regulations, 2019.

Petitioner/ SECI to clarify whether the PSAs of all beneficiaries are same or not.

In view of above, Commission directed to submit affidavit certifying that all PSAs are as per standard Bidding Documents (SBD)/Guidelines.

f) The petitioner has requested to adopt the tariff at pooled rates despite the fact that CERC in its order has adopted the tariff discovered for the individual power projects/developers. Commission directed petitioner/SECI to confirm that the tariff of each project shall be in line with CERC order(s).

g) Petitioner/ SECI directed to justify the Trading Margin of 7 Paisa/ unit in the above said petitions.

5. Petitioner/ SECI are hereby directed to submit their reply on above points positively by 28th June 2021.

6. The hearing shall continue through video conferencing. Let the case be listed on 02/07/2021 at 11.30 AM for hearing.

Sd/-
(S.C.Chaurasia)
Member

Sd/-
(R.K Choudhary)
Member

Sd/-
(Shishir Sinha)
Chairman