

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 1994 of 2021.

In the Matter of:

**Petition regarding RPO compliance exemption for the period of FY 2020-21
pertaining to Jubilant Infrastructure Limited.**

Petitioner : Jubilant Infrastructures Limited
Represented By : Mr. Pranay Shah

CORAM:

Mehul M. Gandhi, Member

S. R. Pandey, Member

Date: 17/11/2021.

DAILY ORDER

1. The present matter was listed for hearing on 11.11.2021.
2. Shri Pranay Shah, on behalf of the Petitioner, submitted that the Petitioner has filed the present Petition seeking exemption from RPO compliance for FY 2020-21 as the Petitioner is receiving power consumed by it as a consumer of DGVCL which includes the renewable component also and therefore, RPO is not applicable to the Petitioner.
3. In response to query of the Commission regarding the issuance of the public notice, it is submitted that public notices are already issued by the Petitioner.
4. We have considered the submissions made by the Petitioner.
- 4.1. We note that the present Petition has been filed by the Petitioner for compliance of RPO for FY 2020-21 against the RPO specified in the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and amendments thereto. The Petitioner has prayed for exemption from compliance of the RPO for the FY 2020-21

on the ground that the Petitioner is receiving power as a consumer of DGVCL. The aforesaid aspects/issues are associated with the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 as amended from time to time and accordingly, the Commission has the jurisdiction to decide the same. We, therefore, decide to admit the Petition.

- 4.2. We note that the Hon'ble APTEL in its judgement dated 25.04.2014 in Appeal No. 24 of 2013 and IA No. 39 of 2013 directed the State Commission that after completion of the financial year, the State Commission has to review the actual performance in respect of RPO and pass necessary directions as per the Regulations either Suo-motu or on a Petition filed by an obligated entity. Such review should be subject to public notice to invite suggestions and objections from all the stakeholders. Thus, for annual review of RPO or otherwise by the State Commission either Suo-motu or on an application from an obligated entity, the suggestions and objections of the public are required to be invited.
- 4.3. According to the Hon'ble APTEL's directions, it is necessary to issue a public notice and invite suggestions/objections from all the stakeholders in the matter pertaining to compliance of RPO by the obligated entities. We note that the Petitioner has filed the present Petition seeking exemption from RPO compliance for FY 2020-21 under the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and its amendments thereto. Therefore, it is necessary to conduct a public hearing to take into consideration the views/comments of stakeholder before deciding the matter. Although, according to the Petitioner, public notices are issued but since the matter was listed for admission hearing for first time it is noted that no public notice is issued. The Petitioner is, therefore, directed to issue a public notice in two daily Gujarati Newspapers and one English Newspaper having wide circulation in the State and invite comments/suggestions from the stakeholders stating that they have filed Petition No. 1994 of 2021 before the Commission for seeking exemption from RPO compliance for FY 2020-21 under the provisions of the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 and its amendments thereto. The Petitioner is also directed to upload the present Petition with all the relevant documents on its website and invite comments and suggestions from the stakeholders on the Petition on affidavit within 21 days from the date of issue of

public notice. The Petitioner shall also state in the public notice that the stakeholders/objectors shall file their objections/suggestions in the Petition to the Secretary, Gujarat Electricity Regulatory Commission, 6th Floor, GIFT ONE, Road 5C, 3 Zone 5, GIFT City, Gandhinagar - 382355 in five copies along with affidavit in support of their submissions with a copy to the Petitioner. The staff of the Commission is also directed to upload the Petition along with all relevant documents on the website of the Commission after compliance affidavit of issuing public notice and uploading of Petition is filed by the Petitioner along with copy of public notices issued by the Petitioner is filed with the Commission alongwith aforesaid affidavit and invite comments/suggestions from the stakeholders.

- 4.4. We further direct the Petitioner to provide the details regarding renewable power already tied and its present status.
- 4.5. The staff of the Commission is directed to verify as to whether other distribution licensees who are also obligated entities have filed any Petition for compliance of their RPO for FY 2020-21 or not? If they have not so filed, they should be informed and directed to file similar Petition and to clarify their RPO compliance status for FY 2020-21 and further failure to comply thereafter, Suo-motu proceedings may be initiated against such entities for non-compliance of RPO of FY 2020-21 as per the GERC Regulations. We also direct the staff of the Commission that after receipt of the Petition from such entities, all such Petitions to be listed together for hearing and thereafter, necessary hearing notices be issued to them.
5. The next date of hearing will be intimated separately.
6. We order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 17/11/2021.