

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 286/AT/2021**

- Subject : Petition under Section 63 of the Electricity Act, 2003 for adoption of tariff for 8800 MW Solar Power Plants connected to Inter-State Transmission System (ISTS) linked with Setting up of 2200 MW Solar Manufacturing Plant, selected through Competitive Bidding Process as per the Guidelines dated 3.8.2017 of the Central Government as amended from time to time and interpreted and modified by the Central Government vide subsequent communications.
- Date of Hearing : 9.2.2022
- Coram : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member
- Petitioner : Solar Energy Corporation of India Limited (SECI)
- Respondents : Azure Power India Private Limited and 9 Ors.
- Parties Present : Shri M. G. Ramachandran, Sr. Advocate, SECI  
Ms. Tanya Sareen, Advocate, SECI  
Ms. Poorva Saigal, Advocate, SECI  
Ms. Neha Singh, SECI  
Shri Atulya Kumar Naik, SECI  
Shri Shibasish Das, SECI  
Shri Mudit Jain, SECI  
Ms. Maulishree Gupta, Azure Power  
Shri Dipak Panchal, Adani Renewable  
Shri Tanmay Vyas, Adani Renewable  
Shri Ravi Shankar Sinha, Adani Renewable  
Ms. Anusha Nagarajan, Advocate, TANGEDCO  
Shri Manoj Kumar Das, GRIDCO  
Shri Mahfooz Alam, GRIDCO  
Shri Payyaula Keshav, Objector

**Record of Proceedings**

Case was called out for virtual hearing.

2. Learned senior counsel for the Petitioner submitted that the present Petition has been filed seeking adoption of tariff for 8800 MW solar power plants linked with setting up of 2200 MW solar manufacturing plant selected through competitive bidding process as per the 'Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Project' issued by

the Ministry of Power, Government of India on 3.8.2017 (in short, 'the Guidelines') along with the subsequent amendments thereto and interpreted and modified by the Government of India vide subsequent communications. Learned senior counsel submitted that in compliance with the direction of the Commission vide Record of Proceedings for the hearing dated 13.1.2022, SECI has filed a comparative statement indicating the steps and processes followed by it in the bidding/ tender mapping the same to the corresponding enabling provisions of the Guidelines as amended from time to time and interpretation/clarification issued by the Central Government. Learned senior counsel, thereafter, made detailed submissions by referring to the said comparative statement including the provisions of the RfS documents providing for transfer of under-subscribed capacity from one bidding package to the other (i.e. from Package A to Package B or vice-versa), Green Shoe option, etc.

3. Learned senior counsel further submitted that pursuant to aforesaid bidding process, the solar power plants for 12,000 MW have been selected. However, as on date, the Power Purchase Agreements ('PPAs') and Power Supply Agreements ('PSAs') have been executed for 8800 MW and accordingly, the Petitioner is seeking adoption of tariff to the extent of 8800 MW only. Learned senior counsel submitted that tariff discovered pursuant to the bid process was Rs. 2.92/kWh, which was later reduced by the successful bidders to Rs. 2.54/kWh and Rs. 2.42/kWh. He added that it is always open to reduce the tariff as discovered pursuant to e-reverse auction as it is ultimately beneficial to the consumer interests. Learned senior counsel submitted that power to be generated from the aforesaid projects have been tied up with TANGEDCO (1000 MW), GRIDCO (500 MW), Chhattisgarh State Power Distribution Company Ltd. (300 MW) and the distribution companies of Andhra Pradesh (7000 MW) and that all the concerned State Commissions except for Chhattisgarh State Electricity Regulatory Commission have approved the procurement of such power under the PSAs.

4. Learned counsel for the Respondent, TANGEDCO submitted that the Respondent did not have any objection to the present Petition.

5. After hearing the learned senior counsel for the Petitioner and learned counsel for TANGEDCO, the Commission observed that Shri Payyaula Keshav, in his individual capacity, had sought permission to submit his observation during the course of hearing. Accordingly, Shri Payyaula Keshav was permitted to attend the hearing. The Commission further observed that Shri Payyaula Keshav is not a party to the Petition. However, the Commission, in exercise of powers under the provisions of Section 94(3) of the Electricity Act 2003 and in accordance with Regulation 52 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 allowed Shri Payyaula Keshav to make written submissions on the issues raised in the Petition. Shri Payyaula Keshav requested for 15 days' time to file his written submissions which was granted by the Commission.

6. The Commission permitted Shri Payyaula Keshav to file his written submissions on affidavit by 24.2.2022 as well as upload the same on e-filing portal of the Commission after getting himself registered on the e-filing portal.

7. The Petitioner and the Respondents were directed to file their response thereon, if any, within a week thereafter.

8. The Petition shall be listed for hearing in due course for which separate notice will be issued.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Joint Chief (Law)**