

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION
BAYS No. 33-36, SECTOR-4, PANCHKULA- 134112, HARYANA**

Case No. HERC/PETITION NO. 14 of 2022

Date of Hearing : 20.04.2022
Date of Order : 20.04.2022

IN THE MATTER OF:

Petition under section 86(1)(b) of the Electricity Act, 2003 for approval of source and draft Power Purchase Agreement (PPA) to be executed with M/s Greenyana Solar Pvt for purchase of 10.72 MW solar power on long term basis for useful life of the project i.e. 25 years from 10.72 MW Grid connectivity solar PV bases power project located at village Kurangawali, District Sirsa, Haryana at a tariff to be determined by the Hon'ble Commission under section 62 of the Electricity Act, 2003 in terms of HERC RE Regulations in vogue.

Petitioner

Haryana Power Purchase Centre, Panchkula (HPPC)

Respondent

M/s. Greenyana Solar Private limited

Present on behalf of the Petitioner,

1. Sh. Randeep Singh, CE, HPPC
2. Sh. Vikas Kadian, Xen, HPPC

Present On behalf of the Respondent,

1. Sh. Amal Nair, Advocate

Quorum

**Shri R.K. Pachnanda
Shri Naresh Sardana**

**Chairman
Member**

ORDER

1. The present petition has been filed by HPPC seeking approval to procure 10.72 MW solar power, for 25 years, at the tariff to be determined by the Commission under Section 62 of the Electricity Act, 2003, in terms of the HERC RE Regulations in vogue.
2. The case was heard on 20.04.2022, as scheduled, in the Court Room of the Commission.
3. After hearing the parties at length, the Commission observes that the HERC Regulations in vogue i.e. Haryana Electricity Regulatory Commission (Terms and Conditions for determination of Tariff from Renewable Energy Sources, Renewable Purchase Obligation and Renewable Energy Certificate) Regulations, 2021 (hereinafter referred to as "HERC RE Regulations, 2021"), provides as under: -

"6(3) Scope and extent of application:

These Regulations shall apply to the RE Power Projects set-up / to be set – up in Haryana and where the tariff is determined by the Commission u/s 62 of the Act for Grid Connected RE Projects up to an installed capacity of 2 MW except the general

provisions for banking, RPO, Late Payment Surcharge / rebate etc. applicable for all concerned.

Provided that the Discoms/HPPC shall endeavor to purchase all electricity through competitive bidding route in accordance with the provisions of Section 63 of the Electricity Act, 2003.”

“7. (2)

e) Following documents in case of petition for determination of project specific tariff by renewable energy projects, where tariff from such renewable energy sources is generally determined through competitive bidding process in accordance with provisions of Section 63 of the Act:

i) Rationale for opting project specific tariff instead of competitive bidding; and

ii) **Competitiveness of the proposed tariff** vis-à-vis tariff discovered through competitive bidding/ tariff prevalent in the market.

iii) Comparative details showing that the tariff proposed is aligned with the prevalent market conditions.” **(Emphasis supplied)**

4. In view of the provisions of the HERC Regulations in vogue, supra, the Commission, observes that HPPC has not taken necessary action as prescribed under Regulation 7(e) of the HERC RE Regulations, 2021.
5. The “HERC RE Regulations, 2021” are binding. Hence, HPPC may float NIT for procurement of solar power through competitive bidding as per the provisions of Regulation 6 (3) of HERC RE Regulations, 2021. However, the parties will be at liberty to approach the Commission again, in case a consensus on the proposed ceiling tariff is reached justifying the same viz-a-viz prevailing solar power tariff and HPPC is in a position to submit the requisite documents as provided under Regulation 7(e) of the HERC RE Regulations, 2021.

In terms of the above order, the present petition is disposed of.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 20.04.2022.

Date: 20.04.2022
Place: Panchkula

(Naresh Sardana)
Member

(R.K. Pachnanda)
Chairman