

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 39/MP/2022

Coram:

**Shri I. S. Jha, Member
Shri Arun Goyal, Member
Shri P.K.Singh, Member**

Date of Order: 16th June, 2022

In the matter of

Petition under Section 79(1)(b), Section 79(1)(f) and Section 79(1)(k) of the Electricity Act, 2003 seeking issuance of appropriate order(s) / direction(s) / declaration from the Hon'ble Commission that purchase of power from 600 MW (4x150 MW) Kameng Hydro Electric Project of the Petitioner which becomes eligible for Non-Solar REC under the Hydro Power Obligation from 2021-22 to 2029-30 as per the order dated 29th January 2021 of MoP, GOI

And

In the matter of

North Eastern Electric Power Corporation Limited,
Brookland Compound, Lower New Colony,
Shillong- 793003

...Petitioner

Vs

Assam Power Distribution Company Limited,
Bijulee Bhawan, Paltan Bazar,
Guwahati – 781001 and 21 others

..Respondents

Parties present:

Shri Rahul Sinha, Advocate, MSEDCL
Shri Partha Sen, NEEPCO
Shri Devapria Choudhury, NEEPCO
Shri Susanta Deka, NEEPCO
Shri Munin Choudhury, NEEPCO
Shri Ripunjoy Bhuyan, NEEPCO
Ms. Elizabeth Pyrbot, NEEPCO
Shri Indrajit Tahbildar, APDCL
Shri Babula Roy, NERLDC
Ms. Himani Dutta, NERLDC
Shri Gajendra Singh Vasava, NERLDC
Shri Rahul Sinha, Advocate, MSEDCL

ORDER

The Petitioner, North Eastern Electric Power Corporation Limited, has filed the present Petition along with the following prayers:

“(a) Admit the petition.

(b) Approve the recovery of Actual year wise tariff determined by Hon’ble Commission per unit as against capping price of Rs. 5.50 per unit of electrical energy under the Hydro Energy Certificate (HEC) mechanism to be developed by the Hon’ble Commission as a separate basket under Non-Solar REC for fulfillment of HPO by states/DISCOMs as mandated vide order dated 29.1.2021 of Ministry of Power, Government of India.

(c) Approve recovery of differential amount (levelized tariff of Rs. 4.75 per unit and average price of power sold in short-term market/power exchange amounting to Rs. 3.20 per unit) from the buyers of such power from Kameng HEP, who are eligible for fulfillment of HPO under the order dated 29.1.2021 of MoP, GoI through issuance and sale of Hydro Energy Certificates.

(d) Approve necessary regulatory framework for operationalization of Hydro Energy Certificate (HEC), which would be eligible for Hydro Power Obligation (HPO) as part of Non-Solar REC as mandated by the order of MoP dated 29.1.2021. Such Hydro Energy Certificates (HEC) to be issued against power sold other than allocated by Ministry of Power, Government of India through long term PPAs/power exchanges/short term market from Kameng HEP.

(e) Declare that the Kameng HEP, which has been commissioned after MoP memorandum dated 08.03.2019, is eligible to participate in green segment of power exchanges (GDAC/GTAM etc.) on the basis of NOC/Standing clearance issued by SLDC/RLDC wherein RE(LHP) is specifically mentioned.

(f) In continuation of prayer at (iv) above, Large Hydro Project (LHP) commissioned after 8.3.2019 should be declared as RE with a separate provision for LHP in the G-DAM with minimum price of Rs. 5.50/- as mentioned in the order no. 23/03/2016-R&R dated 29th Jan 2021 issued by MoP, GOI order for Renewable Purchase Obligation Trajectory may be included with waiver of Transmission charge like other RE power sold in G-DAM.

(g) Declare that LHPs which are commissioned after 08.03.2019 and selling their power in conventional mode (where buyer is not getting the benefit of HPO), should be given HECs retrospectively corresponding to their generation and till such time there is enough liquidity in HPO segment.

(h) Declare introduction of a mechanism for trading green attribute of hydro power, from large hydro stations, in the form of multipliers (keeping solar as base and multiplication factor for others).

(i) Allow the petitioner to recover any taxes and duties, including cess, etc. imposed by any Statutory/Municipality/Government Authority in future.”

2. The matter was listed for hearing on admission on 14.6.2022 through video conferencing. During the course of hearing, the representative of the Petitioner submitted that the present Petition has been filed for approval of regulatory framework for operationalization of Hydro Energy Certificate and for declaration that Kameng HEP is eligible to participate in green segment of Power Exchanges. He further added that the Commission in its order dated 22.2.2022 in Petition No. 169/MP/2022 filed by Indian Energy Exchange Limited (IEX), approved proposal of IEX to introduce Hydro power contract in GTAM subject to compliance of the directions given in the order. Accordingly, the representative of the Petitioner sought permission to amend the Petition.

3. The Commission observed that Petitioner should file fresh Petition after conducting proper study. The Commission further observed that the Petitioner is at liberty to withdraw the instant Miscellaneous Petition and file a fresh Petition. In response, the representative of the Petitioner sought permission to withdraw the instant Petition with liberty to approach the Commission with fresh Petition.

4. In view of the submissions of the representative for the Petitioner, the Petitioner is permitted to withdraw the present Petition.

5. Accordingly, the Petition No. 39/MP/2022 is disposed of as withdrawn.

**Sd/
(P.K.Singh)
Member**

**sd/-
(Arun Goyal)
Member**

**sd/-
(I.S. Jha)
Member**