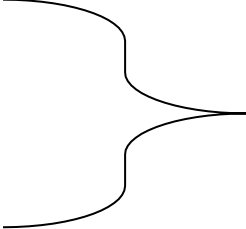


Before the  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
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**Case No. 115 of 2022**

**Case of Maharashtra State Electricity Distribution Company Ltd. seeking approval for adoption of tariff discovered for long term procurement of 535 MW solar power under ‘Mukhyamantri Saur Krishi Vahini Yojana’ from 2 to 10 MW capacity projects connected to distribution network.**

M/s Maharashtra State Electricity Distribution Company Ltd.) .....Petitioner

1	M/s Avichal Waves Pvt. Ltd.		..... Respondent
2	M/s Braithwaiteindia & Co. Ltd.		
3	M/s G.N. Electricals		
4	M/s Image Info Consumables		
5	Shri. Naresh Sadeja		
6	Shri. Vaibhav Namdeo Bari		

**Coram**

**Sanjay Kumar, Chairperson**  
**Mukesh Khullar, Member**

**Appearance:**

For the Petitioner	: Smt. Kavita Gharat, CE, RE
For the Respondents	: Mr. Rangam Dutta (Rep.) : Mr. Himanshu A. Ingle (Rep.)

**ORDER**

**Date: 21 July 2022**

1. Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) filed the present Petition, being Case No.115 of 2022 on 30 May 2022 seeking approval for the adoption of tariff for longterm procurement of 535 MW solar Power under ‘Mukhyamantri Saur Krishi Vahini Yojana (MSKVY) from 2 MW to 10 MW Capacity Projects connected to Distribution

Network. The said Petition is filed under provisions of Section 63 of the Electricity Act, 2003 (the EA) for meeting its Solar Renewable Purchase Obligations (RPO).

**2. MSEDCL's main prayers are as follows:**

- a) *To admit the Petition as per the provisions under Section 63 of the Electricity Act (EA), 2003.*
- b) *To accord approval for adoption of tariff as mentioned in table under para 2.7 and signing of PPA with successful bidder for 535 MW solar power as discovered through Competitive bidding conducted by MSEDCL.*
- c) *To accord approval to make this power eligible for meeting the Solar RPO requirement of MSEDCL.*

**3. MSEDCL in its Case has stated as follows:**

- 31 The Commission vide Order dated 18 December 2020 in Case No. 214 of 2020 accorded approval to proceed with the continuous bidding process for selection of bidder under MSKVY.
- 32 Accordingly, MSEDCL started bidding process for 1300 MW and conducted two bidding process. Tariff discovered in that bidding process has been adopted by the Commission. Details of the same are tabulated below:

Sr No	Name of Scheme	Tender floated (MW)	Bid received (MW)	Capacity finalized (MW)	Tariff (Rs per unit)	Remarks
1	MSKVY	1300	111	111	3.05	Tariff adopted in Case No 141 of 2021 & Case No 50 of 2022 respectively.
2		1250	385.3	385.3	3.10	

- 33 For the remaining capacity of 865 MW, MSEDCL floated tenders under MSKVY on 31 January 2022 with ceiling rate of Rs. 3.10 per unit. The last date of bid submission was 16 March 2022. Seven bids were received with a total cumulative capacity of 544 MW.
- 34 Technical bids were opened on 17 March 2022 and during technical scrutiny, following issues were observed:
  - a. Bid of Shri. Sandeep Futane (2 MW) was disqualified due to non-submission of annual audited report required as per eligibility criteria.

- b. Bid of M/s Image Info Consumables is qualified for lesser quantum of 9 MW instead of 16 MW due to lesser Net Worth as per eligible criteria.

35 Financial bids for 6 qualified bidders (535 MW) were opened on 13 April 2022. The details are as below:

Sr.No	Tender No.	Name of Bidder	Capacity per location (MW)	Quoted Tariff (Rs/unit)
1	T-44	M/s Avichal Waves Pvt Ltd.	2	3.10
2		M/s Braithwaiteindia & Co Ltd.	500	3.10
3		M/s G. N. Electricals.	4	3.10
4		M/s Image Info Consumables.	9	3.10
5		Shri Naresh Sadeja.	18	3.10
6		Shri Vaibhav Namdeo Bari.	2	3.10
		<b>Total</b>	<b>535 MW</b>	

- 36 MSEDCL in this Petition prayed to the Commission for adoption of Tariff for 535 MW solar power discovered through competitive bidding process under Section 63 of the Electricity Act, 2003.
4. At the e-hearing through video conferencing held on 28 June 2022, the Petitioner reiterated its submissions made in the Petition. None of the Respondents have objected to the Petition filed by MSEDCL.

### **Commission's Analysis and Rulings**

5. MSEDCL has filed present Petition for adoption of Tariff discovered for 535 MW Solar capacity through competitive bidding process under Section 63 of the EA, 2003 and approval for power procurement at the discovered Tariff of Rs. 3.10 per unit.
6. Prior to the present Petition, MSEDCL had approached the Commission in Case No. 214 of 2020 seeking permission to float the tenders under MSKVY with the deviation in MNRE Guidelines for Development of Decentralized Solar Power Plants dated 13 December 2019 .
7. In the above-said proceedings, the Commission vide its Order dated 18 December 2020 allowed deviation sought by MSEDCL in MNRE Guidelines to consider the minimum CUF of 19% instead of 15%. In the said Order, the Commission allowed MSEDCL to proceed with a continuous bidding process for the selection of bidder under MSKVY. Further, regarding ceiling Tariff rate, the Commission has stated that ceiling rate shall be determined by the DISCOM as per its own due diligence. Competitiveness of such rate shall be dealt with by

the Commission at the time of adoption of tariff.

8. Accordingly, MSEDCL has initiated continuous bidding process for 1300 MW solar projects under MSKVY and completed two rounds of bidding. Details of Bids floated, discovered tariff and its adoption Order by the Commission till date are tabulated below:

Sr No	Tender floated (MW)	Bid Capacity received	Capacity finalized (MW)	Tariff Discovered (Rs per Unit)	Tariff adoption Order
1	1300	111	111	3.0 - 3.05	3 Dec 2021 in Case No. 141/2021
2	1250	385.3	385.3	3.05 - 3.10	6 May 2022 in Case No. 50/2022
		<b>496.3</b>	<b>496.3</b>		

9. Thereafter, MSEDCL refloated the tender of further balance capacity of 865 MW (1250-385). Last date for bid submission was 17 March 2022. In response, MSEDCL received 7 bids with cumulative Capacity of 544 MW. One bid was disqualified for non-submission of necessary documents as per bid conditions. Six bids were found technically qualified for cumulative capacity of 535 MW, whose financial bids were opened on 13 April 2022. Details of qualified bidders and tariff quoted by them are as follows:

Sr.No	Tender No.	Name of Bidder	Capacity (MW)	Quoted Tariff (Rs/unit)
1	T-44	M/s Avichal Waves Pvt Ltd.	2	3.10
2		M/s Braithwaiteindia & Co Ltd.	500	3.10
3		M/s G. N. Electricals.	4	3.10
4		M/s Image Info Consumables.	9	3.10
5		Shri Naresh Sadeja.	18	3.10
6		Shri Vaibhav Namdeo Bari.	2	3.10
		<b>Total</b>	<b>535 MW</b>	

\*\* Bidder M/s Braithwaiteindia & Co Ltd. has identified 119 locations for project development.

10. The Commission notes that in Order dated 3 December 2021 in Case No. 141 of 2021, it has adopted the discovered tariff of Rs.3.00 to Rs.3.05 per unit for various projects under MSKVY with a cumulative capacity of 111 MW under different circles of MSEDCL. In the further Tender, MSEDCL increased the ceiling Tariff to Rs. 3.10 per unit on account of an increase in the GST on solar modules and inverters. Thereafter, the Commission has adopted discovered tariff of Rs. 3.05 to 3.10 per unit for 385.3 MW vide Order dated 6 May 2022 in Case No. 50 of 2022. Tariff discovered in the present bidding process i.e. Rs. 3.10 per unit is similar to that which has been adopted vide order dated 6 May 2022 and seems reflective of

current market trends.

11. Accordingly, in line with the mandate under Section 63 of the Electricity Act, 2003, the Commission deems it fit to adopt and approve tariff as highlighted in above para 9 for 535MW cumulative Solar projects on a long term basis (for the period of 25 years).

12. Hence, the following Order.

### **ORDER**

1. **Case No. 115 of 2022 is allowed.**
2. **The Commission accords its approval procurement of 535 MW on long-term basis from the Solar power projects connected to the Distribution Network under 'Mukhyamantri Saur Krishi Vahini Yojana' as stated in Para 9 and allows MSEDCL to enter into Power Purchase Agreement with the successful bidder for a period of Twenty-Five years.**
3. **The Solar Power procured from these projects shall be eligible towards fulfilment of Maharashtra State Electricity Distribution Co. Ltd.'s Solar RPO for the respective periods.**

Sd/-  
(Mukesh Khullar)  
Member

Sd/-  
(Sanjay Kumar)  
Chairperson

  
(Abhijit Deshpande)  
Secretary

