

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2189 of 2023

In the Matter of:

Petition under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003 for seeking adoption of tariff discovered under Competitive Bidding Process conducted vide RFS No. SECI/C&P/IPP/13/0003/21-22 dated 22.10.2021 issued by Solar Energy Corporation of India Limited (SECI) for procurement of 1070 MW ISTS connected Wind Solar Hybrid Power under Tranche-V Scheme

Petitioner : MPSEZ Utilities Limited (MUL)
Represented By : Mr. Mehul Rupera alongwith Mr. Anil Rabadia and Mr. Ranjan Kumar
Respondent : Solar Energy Corporation of India Limited (SECI)
Represented By : Ld. Advocates Ms. Tanya Sareen and Mr. Mudit Jain

CORAM:

**Anil Mukim, Chairman
Mehul M. Gandhi, Member
S. R. Pandey, Member**

Date: 24/03/2023

ORDER

1. The present Petition has been filed by the Petitioner MPSEZ Utilities Limited (MUL), under Section 63 read with 86(1)(b) of the Electricity Act 2003 interalia seeking following prayers:

(a) *To Grant approval for procurement of 1070 MW ISTS connected Wind Solar Hybrid Power under Tranche-V Scheme of Solar Energy Corporation of India Limited at a levelized tariff of Rs. 2.53/kWh plus trading margin of Rs. 0.07/kWh for a period of 25 years.*

- (b) To Grant approval to the Power Supply Agreement (PSA).*
- (c) To consider the procurement of Solar and Wind power, in terms of the Power Supply Agreement with SECI, towards meeting the Solar and Non solar RPO of MUL.*
- (d) To condone any inadvertent omissions/ errors/ shortcomings and permit the Petitioner to make addition/ change/ modification/ alter/ the present petition and make further submissions as may be required.*
- (e) The Petitioner craves relief of the Hon'ble Commission to allow further submissions, prayers, additions and alterations to this Petition as may be necessary from time to time.*

2. Facts mentioned in the Petition in brief are as under:

- 2.1 The Petitioner is a Distribution Licensee in Mundra area located in the state of Gujarat and has been supplying power to the consumers in its area of supply as a distribution licensee in terms of the Electricity Act, 2003.
- 2.2 The Distribution companies are mandated to procure power from Renewable Energy Sources as per the provision of Section 86(1)(e) of the Electricity Act, 2003 and in terms of the GERC (Procurement of Energy from Renewable Energy Sources) Regulations, 2010 as amended from time to time.
- 2.3 Section 63 of the Electricity Act, 2003 provides that the Appropriate Commission shall adopt the tariff, if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government. Also, as per Section 86 (1) (b) of the Electricity Act, 2003, the duty of the Commission is to regulate electricity purchase and procurement process of the distribution licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State.
- 2.4 To cater to the increasing demand of power in the license area, the Petitioner entered into Long Term Power Purchase Agreement (PPA) for procuring 50 MW of power with Thermal Generators and 12 MW of power with Wind Energy Generators (WEG).

- 2.5 With an objective to be able to provide reliable and quality power to the consumers of the distribution license area, the Petitioner is continuously involved in discussions with the existing and upcoming consumers to better serve the needs of consumers of its license area.
- 2.6 Based on the discussion with various existing and upcoming consumers, the Petitioner has envisaged that there shall be a substantial increase in the demand of power by its consumers in its license area.
- 2.7 As such, it is expected that the demand will increase on account of the expansion of already installed units and addition of new units in the license area of the Petitioner. In this context, the Petitioner has placed on record the following table, which elucidates the half yearly expected maximum demand as under:

FY	H1 (MVA)	H2 (MVA)
FY 2023-24	447	701
FY 2024-25	1090	2830
FY 2025-26	2887	2891
FY 2026-27	3660	4980

- 2.8 That, the Solar Energy Corporation of India Limited (SECI), under the administrative control of the Ministry of New and Renewable Energy (MNRE), is the implementing agency for various schemes of MNRE/ Government of India (GoI) including VGF, Solar Park and UMREPP for development of Solar, Wind, and Hybrid power.
- 2.9 SECI is also a Category – I Trading Licensee, thereby, empowered to carry out power trading on pan India basis.
- 2.10 In terms thereof, it is further stated that the Ministry of Power (MoP), Government of India (GoI) notified the guidelines under Section 63 of the Electricity Act, 2003.
- 2.11 SECI has been designated as the nodal agency for implementing the scheme for setting up of ISTS connected/State specific Solar/Wind Power projects with the mandate to invite bids under Tariff Based Competitive Bidding (TBCB) process.

- 2.12 SECI has been also designated as the nodal agency for entering into Power Sale Agreements (PSAs) with the Distribution Licensee at the tariff discovered by way of the competitive bidding process and further enters into Power Purchase Agreements (PPAs) with the Project Developers. This enables the Distribution Companies to fulfil their requirement of power as well as the Renewable Purchase Obligations (RPO) under Section 86(1)(e) of the Electricity Act, 2003.
- 2.13 The Commission has notified the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 dated 17.04.2010. Thereafter, the said Regulations have been amended vide First Amendment dated 03.03.2014, Second Amendment dated 20.04.2018 and Third Amendment dated 08.04.2022. In accordance with the GERC (Procurement of Energy from Renewable Sources) (Third Amendment) Regulations, 2022 dated 08.04.2022, the stipulated RPO percentage targets for the obligated entities of Gujarat from FY 2021-22 onwards are as under:

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in terms of energy in kWh)				
	Wind (%)	Solar (%)	Hydro Power Purchase Obligation (HPO) (%)	Others (Biomass, Bagasse & Bio-fuel based cogeneration, MSW and Small/Mini/Micro Hydro) (%)	Total (%)
2021-22	8.25	8.00	-	0.75	17.00
2022-23	8.25	8.00	-	0.75	17.00
2023-24	8.40	9.50	0.05	0.75	18.70
2024-25	8.55	11.25	0.10	0.80	20.70

- 2.14 On 14.10.2020, the Ministry of New and Renewable Energy (MNRE) notified the “Guidelines for Tariff Based Competitive Bidding Process for procurement of power from Grid Connected Wind Solar Hybrid Projects” (Guidelines for Hybrid Projects). The said guidelines for Hybrid Projects have been issued under the Wind-Solar Hybrid Policy dated 14.05.2018.
- 2.15 As such, these Guidelines had been formulated for procurement of power from Grid Connected Wind Solar Hybrid Projects with an objective to provide a framework for promotion of large grid connected wind-solar PV hybrid system for optimal and efficient utilization of transmission infrastructure and land, thereby, endeavouring

to reduce the variability in renewable power generation and to achieve better grid quality.

- 2.16 On 22.10.2021, SECI issued the Request for Selection (RFS) along with Standard Power Purchase Agreement (PPA) and Power Supply Agreement (PSA) on ISN Electronic Tender System (ETS) e-bidding portal for selection of Project Developers for setting up of 1200 MW ISTS-connected Wind Solar Hybrid Power Projects (Tranche-V). The proposal was to establish ISTS-connected Wind-Solar Hybrid Power projects on “Build Own Operate” basis for an aggregate capacity of 1200 MW.
- 2.17 In the above context, the Petitioner further stated that the RFS has been prepared in line with the Guidelines for Hybrid Projects notified by the Government of India.
- 2.18 As per the arrangements, SECI is required to procure the Renewable Power by entering into PPA(s) with the successful bidders/Project Developers for re-sale of power to the Distribution Licensees/ Buying Entities under the relevant PSAs to be entered into on a back-to-back basis with Distribution Licensees/ Buying Entities.
- 2.19 On 22.10.2021, SECI floated the RFS for Selection of Hybrid Power Developers for Setting up of 1200 MW ISTS-connected Wind-Solar Hybrid Power Projects (Tranche-V).
- 2.20 That, a total of 13 (thirteen) bidders aggregating to 4370 MW bid capacity had submitted their bids and were technically qualified by SECI.
- 2.21 As per terms and conditions of tender, 12 (twelve) bidders with aggregate capacity of 4220 MW have qualified for e-reverse auction and the e-reverse auction was conducted by SECI.
- 2.22 That, in the facts and circumstances of the present case, the offered tariff from SECI had been discovered through a transparent competitive bidding process. Accordingly, the selection of successful bidder and determination of tariff of the Projects had been carried out by SECI through a transparent process of competitive bidding in accordance with Guidelines issued by Ministry of Power, Government of India under Section 63 of the Electricity Act, 2003.

2.23 Furthermore, SECI conducted e-Reverse Auction on 05.05.2022, wherein the bidder wise capacity was awarded and tariff was discovered through e-Reverse Auction. SECI in its Bid Evaluation report has also recommended that following bidders are found to be qualified as per the requirements of RfS and to issue Letter of Awards (LOAs) for 1170 MW capacity to the successful bidders.

Sr. No	Bidder's Name	Bid Capacity	Tariff (INR/kWh)	Allotted Capacity (MW)
1	TP Saurya Limited	600	2.53	600
2	AMP Energy Green Private Limited	120	2.53	120
3	NTPC Renewable Energy Limited	450	2.53	450
	Total awarded capacity			1170

2.24 Considering the fact that the generation benefit from the PSAs executed under Competitive Bidding shall be made available after a lapse of about 24 months and that the same shall be useful in achieving RPO compliance of ensuing years (which are in increasing trend as notified by the Commission and MoP) as well as for keeping overall power purchase cost under control as the tariffs of thermal power is on increasing trend whereas the tariffs of RE power are fixed for the period of 25 years, the Petitioner vide its letter dated 06.08.2022 made a request to SECI for power procurement based on ISTS-connected Wind-Solar Hybrid Power Project (Tranche-V) Scheme.

2.25 Accordingly, by way of the aforesaid communication, the Petitioner conveyed its intention to procure 1170 MW power under the long-term basis for 25 (twenty-five) years through the competitive bidding process already undertaken by SECI.

2.26 In above context, by way of the aforesaid letter, the Petitioner also requested SECI to provide the Draft PPA/ PSA along with the details of projects which have been shortlisted by SECI under Wind-Solar Hybrid Tranche-V scheme and the tariff determined in the auction conducted by SECI.

- 2.27 In response to the aforesaid letter issued by the Petitioner, on 02.09.2022, SECI issued a letter to the Petitioner offering 1070 MW power from the Wind-Solar Hybrid Tranche-V scheme and provided the Draft PPA/ PSA alongwith the details of the projects which have been shortlisted.
- 2.28 Furthermore, as per the RFS conditions, PSA is to be signed within 6 (six) months from the date of issuance of Letter of Acceptance ("LoA"), which was issued on 12.07.2022 by SECI to Hybrid Power Developers ("HPDS").
- 2.29 Accordingly, SECI out of the 1170 MW Bid Capacity under Wind-Solar Hybrid power under ISTS Hybrid Tranche-V scheme proceeded to offer 1070 MW capacity hybrid power to the Petitioner.
- 2.30 By way of the present Petition, the Petitioner before this Commission is seeking approval of the same.
- 2.31 The Petitioner formed a Bid Evaluation Committee consisting of (i) Shri Mehul Rupera, Director (ii) Shri Vijil Jain, Chief Financial Officer (iii) Shri Ranjan Kumar, Senior Manager (iv) Shri Mohit Srivastava, Manager as members for evaluation.
- 2.32 The aforesaid bid as conducted through SECI was discussed and evaluated by the Bid Evaluation Committee formed by the Petitioner. The report of the Bid Evaluation Committee signed by the members is also filed with the Petition.
- 2.33 In addition to the above, the Petitioner has also placed on record the Conformity Certificate and Final Evaluation report as submitted by SECI to the Petitioner in compliance with the Technical and Financial bid evaluation along with recommendation for placement of LOAs for selected Projects/Bidders after e-Reverse Auction for the Wind-Solar Hybrid power under ISTS Hybrid Tranche-V Scheme.
- 2.34 That, after considering the competitiveness of the offer made by SECI and the bid process involved, the Petitioner vide letter dated 14.10.2022 provided an 'In-principle' approval/ consent to procure 1070 MW of Wind Solar Hybrid Power at Rs. 2.60/kWh (levelized) including SECI's Trade Margin of Rs. 0.07/kWh.

2.35 That, on the basis of the Draft PSA shared by SECI vide its letter dated 02.09.2022, to be executed between the Petitioner/ MUL and SECI for supply of 1070 MW Hybrid Power under the ISTS Hybrid Tranche-V Scheme, the Petitioner vide its e-mail dated 04.01.2023 conveyed its acceptance to procure 1070 MW Hybrid Power under the ISTS Hybrid Tranche-V Scheme.

2.36 The Petitioner and SECI have executed a Power Supply Agreement (PSA) on 05.01.2023 for procurement of 1070 MW Hybrid Power under the ISTS Hybrid Tranche-V Scheme.

2.37 The Tariff discovered through e-Reverse Auction herein is as under:

Sr. No	Bidder's Name	Bidder's Quantity (MW)	Tariff (INR/kWh)	Awarded capacity (MW)
1	TP Saurya Limited	600	2.53	600
2	AMP Energy Green Private Limited	120	2.53	120
3	NTPC Renewable Energy Limited	450	2.53	450

2.38 It is submitted that the PSA mandates that within 120 days of the execution of the said agreement with SECI, the Petitioner is required to obtain an order of approval/ consent for procurement of the power from the Commission. In the event, the order as mentioned above is not issued by the Commission within the time frame as specified above in terms of the PSA, no extension for Financial Closure or Scheduled Commissioning Date shall be given.

2.39 In view of the above and in accordance with Section 63 read with Section 86(1)(b) of the Electricity Act, 2003, the Petitioner has filed the present Petition for seeking approval of power procurement and tariff as discovered by SECI in Competitive Bidding Process conducted through RFS No. SECI/C&P/IPP/13/0003/21-22 dated 22.10.2021, issued by SECI for procurement of 1070 MW ISTS connected Wind Solar Hybrid Power under Tranche-V scheme.

2.40 Accordingly, the Petitioner has filed the present Petition to approve the power procurement of 1070 MW Wind-Solar Hybrid Power from SECI at Rs. 2.53 per unit

discovered through competitive bidding process along with the trading margin of Rs. 0.07 per unit to be charged by SECI as an intermediary/ trading licensee.

3. The Respondent Solar Energy Corporation of India (SECI) has filed a reply and supported the relief sought for by the Petitioner for the approval of procurement of 1070 MW Wind-Solar Hybrid Power under the PSA dated 05.01.2023.
- 3.1 It is submitted that SECI is a Government of India Enterprise and has been incorporated with the main objective for promotion of renewable power in the country and to facilitate implementation of the policies of the Ministry of New and Renewable Energy (hereinafter 'MNRE'), Government of India.
- 3.2 It is submitted that on 22.10.2021, SECI issued the Request for Selection (RfS) document for Selection of Hybrid Power Developers for Setting up of 1200 MW ISTS Connected Wind-Solar Hybrid Power Projects (Tranche-V). In this regard, the conformity certificates issued by SECI to the effect that the applicable Guidelines and amendments/clarifications thereof notified by Government of India read with minutes of meeting held under the chairmanship of Hon'ble Minister {New and Renewable Energy} were followed for the bidding process in the above tender, the evaluation committee constituted for evaluation of bids has conducted the techno-commercial as well as financial bid evaluation in conformity with provisions of RfS. In pursuance to the RfS Document, the bids were submitted by the bidders, the successful bidders were selected for establishing the projects and Letters of Award were issued to the selected bidders.
- 3.3 SECI has been designated as the intermediary nodal agency to undertake procurement of hybrid power from selected Wind- Solar Hybrid Power Developers (hereinafter 'Hybrid Power Developers') for onward sale on back to back basis to Buying Entities/ Distribution Companies.
- 3.4 SECI has awarded projects to three Hybrid Power Developers for 1170 MW cumulative capacity under the scheme and has signed PSA for 1070 MW with MPSEZ Utilities Ltd and 100 MW with CESC Limited. The details of Power Purchase Agreements (hereinafter 'PPAs') signed with Hybrid Power Developers and PSAs signed with Buying Entities are as follows:

TABLE-1

Sr. No.	Hybrid Power Developer	Capacity	PPA signing Date	State where Project is located	Buying Entity
1	AMP Energy Green Ten Private Limited	120	12.01.2023	Rajasthan	MPSEZ Utilities Ltd, Ahmedabad (Gujarat) (PSA signed for 1070 MW on 05.01 .2023) CESC Limited, Kolkata (West Bengal) (PSA signed for 100 MW on 11.01 .2023)
2	NTPC Renewable Energy Limited	450	02.02.2023	Gujarat	
3	TP Saurya Limited	600	PPA has not been signed yet	Karnataka* (as mentioned in LOA) As per the provisions of the RfS, the HPD is allowed to change the project location subsequent to issuance of LOA.	

- 3.5 It is submitted that as per Article 4.3.2 of the PPAs read with Recital 'G' and 'I' of the PSA, the energy procured from the Projects under the PPAs shall be allocated on a pro-rata basis to all the Buying Entities (Petitioner herein and CESC Limited) which have signed their respective PSAs with SECI in pursuance of the RfS document dated 22.10.2021. The allocation of 1070 MW power from the Hybrid Power Developers to the Petitioner has been specified in Schedule B of the PSA dated 05.01.2023.
- 3.6 The projects of AMP, NTPC and TP Saurya shall be located in Rajasthan, Gujarat, Karnataka respectively for supply of power to the Buying Entities namely {a} the Petitioner (Gujarat) and {b} CESC Limited (West Bengal). Accordingly, the nature of the transactions involved in the present matter is Inter-State operations. The PPAs and PSA will be governed by Section 79 (1) (b) of the Electricity Act, 2003 as there being a composite scheme for generation and sale in more than one State. Reference

in this regard, may be made to the decision of Hon'ble Supreme Court in *Energy Watchdog case v. Central Electricity Regulatory Commission & Ors. (2017) 14 SCC 80*.

- 3.7 The applicable guidelines notified by the Government of India deal with the Appropriate Commission and that the Central Commission is the Appropriate Commission having jurisdiction including in respect of matters of tariff.
- 3.8 SECI will be filing a Petition before the Central Commission under Section 63 of Electricity Act for the adoption of tariff discovered in the present scheme (ISTS Tranche-V Hybrid Scheme). The Central Commission has been passing orders on the adoption of tariff, restricted to the capacity for which PSAs and PPAs have been executed and not for balance capacity forming part of the competitive bid process and selection of the Power Developers (SPDs) till such time the PPAs and PSAs in respect of such capacities are duly executed. Accordingly, upon the execution of the PSAs and PPAs for 1170 MW, SECI will approach the Central Commission for the adoption of tariff.
- 3.9 The jurisdiction being exercised by the State Commission under Section 86 (1) of the Electricity Act, 2003 in cases where the regulatory jurisdiction of the transaction is vested in the Central Commission, is limited namely as provided under Rule 8 of the Electricity Rules, 2005 notified by the Central Government in exercise of the powers under Section 176 of Electricity Act.
- 3.10 In terms of the provisions of Sections 79 and 86 of the Electricity Act, 2003, read with Rule 8 of the Electricity Rules 2005, the generating companies which fall within the scope of sub clause (a) and (b) of sub section (1) of Section 79 are under the regulatory control of the Central Commission. The provisions of Section 86(1) (b) of the Electricity Act, 2003, dealing with the functions of the State Commission need to be harmoniously construed with the provisions of Section 79 and more importantly, taking into consideration Rule 8 of the Electricity Rule 2005, notified by the Central Government, in exercise of the powers under Section 176 of the Electricity Act, 2003.
- 3.11 The Respondent, SECI has relied upon the following Judgements:

- (a) Judgement dated 04.09.2012 in Appeal No.94 and 95 of 2012 in *BSES Rajdhani Power Limited v. Delhi Electricity Regulatory Commission & Ors.*
- (b) Judgement dated 02.07.2021 in Appeal No. 52 of 2021 & connected Appeal in the matter of *Solar Energy Corp. of India v. Central Electricity Regulatory Commission & Anr.*

3.12 It is submitted that the Commission may approve the procurement of Wind-Solar Hybrid power under the PSA dated 05.01.2023 executed between the Petitioner and SECI at the tariff of Rs. 2.53 per unit i.e. tariff of individual projects identified for supply of Wind-Solar Hybrid power to the Petitioner and in addition thereto a trading margin of Rs. 0.07 per kWh as per the terms of the PSA.

4. The matter was kept for hearing on 07.03.2023. During the hearing, representative appearing on behalf of the Petitioner MUL and Ld. counsel for the Respondent SECI, apart from reiterating the facts of the Petition as stated at para 2 above submitted that the Petitioner MUL initiated the process for procurement of 1070 MW grid connected power from the Wind-Solar Hybrid Projects through Competitive Bidding Process followed by e-reverse auction vide RfS dated 22.10.2021 as already concluded by SECI.

4.1 Furthermore, as per Section 86(1)(b) of the Electricity Act, 2003, the Commission is empowered to regulate electricity purchase and procurement process of distribution licensees including the price at which power shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State.

4.2 It is also submitted that in recent SECI/State RE Tenders, Tariff in the range of Rs. 2.82 per unit to Rs. 3.03 per unit have been discovered.

4.3 The Ld. counsel for the Respondent submitted that adoption of tariff is to be carried out by the Central Commission as the projects from which power supply is provided to the Petitioner is for 1070 MW vide Power Supply Agreement dated 05.01.2023 and CESC Ltd. Calcutta, West Bengal for 100 MW as per Power Supply Agreement dated 11.01.2023 executed with the Respondent. Thus, the power supply from the aforesaid Wind-Solar Hybrid power project developers by the SECI to licence is

qualifying as inter-state and composite scheme. Hence, the adoption of tariff is falling within jurisdiction of the Central Commission as power supply from the Wind-Solar Hybrid power generators is to licensees in two States. While the approval of the Power Supply Agreement between Hybrid Power Project developers and the Petitioner MPSEZ Utilities falls within jurisdiction of GERC.

5. We have considered the submissions made by the Petitioner. The Petitioner has filed the present Petition under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003. The Petitioner has sought the approval of the Commission for procurement of power at discovered tariff of Rs. 2.53 per unit quoted by successful bidders under competitive bidding process along with the trading margin of Rs. 0.07 per unit to be charged by SECI as an intermediary/ trading licensee.

- 5.1 The Commission notes that the power procurement by Petitioner is followed by e-reverse auction vide RFS No. SECI/C&P/IPP/13/0003/21-22 dated 22.10.2021 issued by Solar Energy Corporation of India Limited (SECI) for procurement of 1070 MW ISTS connected Wind Solar Hybrid Power under Tranche-V Scheme, as stated in above paras is towards fulfilment of RPO as specified by the Commission in the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 as amended from time to time including the GERC (Procurement of Energy from Renewable Sources) (Third Amendment) Regulations, 2022. In the said Regulations, the Commission has stipulated the RPO requirement of Distribution Licensees till FY 2024-25 as under:

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in terms of energy in kWh)				
	Wind (%)	Solar (%)	Hydro Power Purchase Obligation (HPO) (%)	Others (Biomass, Bagasse & Bio-fuel based cogeneration, MSW and Small/Mini/Micro Hydro) (%)	Total (%)
2021-22	8.25	8.00	-	0.75	17.00
2022-23	8.25	8.00	-	0.75	17.00
2023-24	8.40	9.50	0.05	0.75	18.70
2024-25	8.55	11.25	0.10	0.80	20.70

5.2 From the above table it is apparent that the Petitioner is required to procure Solar as well as Wind power in order to meet its Wind and Solar RPO targets.

5.3 RPO fulfilment of the Petitioner on present requirement is met by either procuring renewable energy or procuring equivalent renewable energy certificates from Indian Energy Exchange ("IEX") and therefore, this Wind- Solar hybrid procurement will also be helpful in meeting the RPO compliance for existing as well the upcoming load as envisaged in the license area of the Petitioner.

5.4 The Petitioner has also stated that the Ministry of Power vide its order dated 22.07.2022 based on the recommendations of Joint Committee and further discussions with MNRE has specified following RPO Trajectory beyond 2021-22:

Year	Wind RPO	HPO	Other RPO	Total RPO
2022-23	0.81%	0.35%	23.44%	24.61%
2023-24	1.60%	0.66%	24.81%	27.08%
2024-25	2.46%	1.08%	26.37%	29.91%
2025-26	3.36%	1.48%	28.17%	33.01%
2026-27	4.29%	1.80%	29.86%	35.95%
2027-28	5.23%	2.15%	31.43%	38.81%
2028-29	6.16%	2.51%	32.69%	41.36%
2029-30	6.94%	2.82%	33.57%	43.33%

5.5 Considering the anticipated increase in load requirement of the Petitioner as well as the increased RPO requirement, procurement of Wind Solar Hybrid Power Purchase will enable the Petitioner to meet its RPO as well as its increased load demand from its consumers in its license area.

5.6 The Petitioner has sought the approval of the Commission under Section 63 read with Section 86(1)(b) of the Electricity Act, 2003, which reads as under:

“

Section 63.

Notwithstanding anything contained in section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government.”

.....”

As per above Section, whenever transparent competitive bidding process is conducted under Section 63 of the Electricity Act, 2003 in accordance with the guidelines issued by the Central Government.

- 5.7 The Commission is empowered to regulate electricity purchase and procurement process of distribution licensees.

“.....

Section 86(1) The State Commission shall discharge the following functions, namely:

(b) regulate electricity purchase and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State.”

.....”

As per the aforesaid provision, the Commission has to regulate the power procurement of the Distribution Licensees, including the procurement process, the price at which electricity shall be purchased from the generating company or the Licensees or through other sources through agreement for purchase of power for distribution and supply within the State.

- 5.8 Thus, it is apparent from the aforesaid provisions that the Petition filed by the Petitioner is within the purview of the Commission's jurisdiction and in terms of the powers vested by the Electricity Act, 2003 and Regulations framed thereunder, the Commission decides to admit the present Petition.

- 5.9 It is observed that the Petitioner is procuring power from SECI who had initiated the Competitive Bidding Process followed by e-reverse auction as per Section 63 of the Electricity Act vide RFS No. SECI/C&P/IPP/13/0003/21-22 dated 22.10.2021 for procurement of 1070 MW ISTS connected Wind Solar Hybrid Power under Tranche-V Scheme.

- 5.10 We note that SECI (being the intermediary which will procure power from the Hybrid Power Developers (HPDs) for onward sale to the Petitioner under the PSA)

has conducted the bid in terms of the Guidelines for Tariff Based Competitive Bidding Process for procurement of power from Grid Connected Wind Solar Hybrid Projects issued by MNRE on 14.10.2020.

- 5.11 We note that, SECI has floated the RFS on 22.10.2021 for Selection of Hybrid Power Developers for Setting up of 1200 MW ISTS-connected Wind-Solar Hybrid Power Projects (Tranche-V).
- 5.12 We note that a total of 13 (thirteen) bidders aggregating to 4370 MW bid capacity has submitted their bids and were technically qualified by SECI and as per terms and conditions of tender, 12 (twelve) bidders with aggregate capacity of 4220 MW has qualified for e-reverse auction and the e-reverse auction was conducted by SECI on 05.05.2022.
- 5.13 As per the MNRE Wind Solar Hybrid guidelines issued by MNRE on 14.10.2020 the relevant portion of Bid Submission and Evaluation is reproduced below:

"11. BID SUBMISSION AND EVALUATION

11.1. Formation of consortium by bidders shall be permitted, in which case the consortium shall identify a lead member which shall be the contact point for all correspondences during the bidding process. SECI may specify technical and financial criteria, and lock in requirements for the lead member of the consortium.

11.2. SECI shall constitute committee for evaluation of the bids (Evaluation Committee), with at least three members, including at least one member with expertise in financial matters/ bid evaluation.

11.3. The bidders may be required to submit non-refundable processing fee as specified in the RfS.

11.4. The bidders shall be required to submit separate technical and price bids. Bidders shall also be required to furnish necessary bid-guarantee in the form of an EMD along with the bids.

11.5. The technical bids shall be evaluated to ensure that the bids submitted meet the eligibility criteria set out in the RfS document on all evaluation parameters. Only the bids that meet the evaluation criteria

set out in the RfS shall be considered for further evaluation on the price bids.

11.6. *To ensure competition, the minimum number of qualified bidders should be two. If the number of qualified bidders is less than two, even after three attempts of bidding, and the Procurer still wants to continue with the bidding process, the same may be done.*

11.7. *The price bid shall be rejected, if it contains any deviation from the bid conditions. No clarifications shall normally be requested from bidders at this stage.*

11.8. ***Bid evaluation methodology:*** *The comparison of bids shall be on the basis of the bidding criteria as specified in the RfS, i.e. the fixed tariff or the first year tariff. Ranking of the bidders will start from the bidder quoting the 'lowest tariff (L1)'. SECI may choose to define a band from L1 in terms of percentage of L1 within which they will accept bid offers.*

11.9. *The selection of all successful bidders would be on bucket filling approach starting with L1, till entire capacity for which the bid has been called for is full or the capacity corresponding to the upper limit for the band from the L1 tariff is reached, whichever is earlier. The detailed procedure for evaluation of the bid and selection of the bidder shall be provided for in the RfS.*

... ..

13. CONTRACT AWARD AND CONCLUSION

13.1. *The PPA shall be signed with the successful Bidder/ Project Company or an SPV formed by the successful Bidder*

13.2. *After the conclusion of bidding process, the Evaluation Committee constituted for evaluation of RfS bids shall critically evaluate the bids and certify as appropriate that the bidding process and the evaluation has been conducted in conformity to the provisions of the RfS.*

13.3. *For the purpose of transparency, SECI shall, after the execution of the PPA, publicly disclose the name(s) of the successful Bidder(s) and the tariff quoted by them together with breakup into components, if any. The public disclosure shall be made by posting the requisite details on SECI's website for at least 30 (thirty) days."*

- 5.14 Accordingly, Commission notes that in terms of the Guidelines for Tariff Based Competitive Bidding Process for procurement of power from Grid Connected Wind Solar Hybrid Projects issued by MNRE on 14.10.2020, SECI has carried out the bidding in a transparent manner.
- 5.15 Petitioner has also constituted a committee for evaluation of the bids (Evaluation Committee), consisting of the following members:

Sr. No	Name	Designation
1	Shri Mehul Rupera	Director
2	Shri Vijil Jain	Chief Financial Officer
3	Shri Ranjan Kumar	Senior Manager
4	Shri Mohit Srivastava	Manager

- 5.16 Report signed by the Members of the Bid Evaluation Committee is filed by the Petitioner, which is reproduced below:

"Bid Evaluation Report
Request for Selection (RfS) Document
For
Selection of Hybrid Power Developers for Setting up of 1200 MW ISTS-
connected Wind-Solar Hybrid Power Projects in India under Tariff-Based
Competitive Bidding (Tranche-V)
RfS No. SECI/C&P/IPP/13/0003/21-22 dated: 22.10.2021
Tender Search Code on ISN-ETS: SECI-2021-TN000012

1. Background

MPSEZ Utilities Limited (MUL) is having Long Term Power Purchase Agreement with Adani Power (Mundra) Limited for 40 MW, Udupi Power Corporation Limited for 10 MW and Adani Renewable Energy (KA) Limited for 12 MW to cater the existing load.

In order to provide reliable and quality power to the consumers of the distribution license area, the MUL is continuously involved in discussions with the existing and upcoming consumers to better serve the needs of consumers of its license area.

Based on the discussion with various existing & upcoming consumers, MUL is envisaging a substantial increase in demand in its license area.

It is expected that demand will be increased on account of the expansion of already installed units and the addition of new units in the license area of the MUL. The half yearly expected maximum demand are as below:

FY	H1 (MVA)	H2 (MVA)
<i>FY 2023-24</i>	<i>447</i>	<i>701</i>
<i>FY 2024-25</i>	<i>1090</i>	<i>2830</i>
<i>FY 2025-26</i>	<i>2887</i>	<i>2891</i>
<i>FY 2026-27</i>	<i>3660</i>	<i>4980</i>

In view of the increased power demand in the license area of MUL, we have already initiated the bidding process for 600 MW RTC thermal power on Long Term Basis for immediate requirement. Further, MUL has approached SECI to procure 1170 MW Wind-Solar Hybrid Power & 2250 MW RE-RTC Power on Long Term Basis from projects connected with ISTS network and we have already applied for the ISTS connectivity in this regard.

Based on the Available Capacity and Tariff discovered through the competitive bidding process, MUL intends to procure Wind-Solar Hybrid power from SECI through RfS No. SECI/C&P/IPP/13/0003/21-22 dated: 22.10.2021 issued by Solar Energy Corporation of India Limited (SECI) for procurement of 1170 MW ISTS connected Wind Solar Hybrid Power under Tranche-V scheme.

Based on our request, SECI has principally offered 1070 MW capacity and make available the electricity procured by SECI from the 1170 MW Wind Solar Hybrid Power Project to be set-up by the Hybrid Power Developer (HPD) at various places in Gujarat, Rajasthan and Karnataka with margin of Rs. 0.07 per unit over and above tariff is derived through competitive bidding process.

The details of HPD are as mentioned below:

Developer's Name	Hybrid Capacity (MW)	Project Location	Declared CUF (%)	Declared MUs Per Annum	Tariff# (Rs./kWh)
TP Saurya Limited (Tata Power)	600 MW (Solar-400, Wind-200)	Karnataka	30%	1578	2.53
AMP Energy Green Private Limited	120 MW (Solar-110, Wind-39.9)	Rajasthan	37%	389	2.53
NTPC Renewable Energy Limited	450 MW (Solar-300, Wind-150)	Solar: Rajasthan Wind: Gujarat	30%	1183	2.53

SECI's Trading Margin will be 7 paisa per kWh over and above the applicable tariff.

2. MUL had constituted a committee for evaluation of the bids (Evaluation Committee), consisting of the following members:

Sr. No	Name	Designation
1	Shri Mehul Rupera	Director
2	Shri Vijil Jain	Chief Financial Officer
3	Shri Ranjan Kumar	Senior Manager
4	Shri Mohit Srivastava	Manager

This report outlines the bid evaluation and recommendations of committee.

3. Details of Tender

NAME OF WORK	Selection of Hybrid Power Developers for Setting up of 1200 MW ISTS-connected Wind-Solar Hybrid Power Projects in India under Tariff-based Competitive Bidding (Tranche-V) as conducted by Solar Energy Corporation of India Limited.
RFS No. and Date	SECI/C&P/IPP/13/0003/21-22 dated 22.10.2021

Type of Tender	<i>E-Tender</i>
Minimum Bid Capacity	<i>50 MW</i>
Term of PPA	<i>25 Years</i>
Technology	<i>Wind-Solar Hybrid Power Technology</i>
Auction Type	<i>e-Reverse Auction</i>
Guidelines Followed	<i>Guidelines for Tariff Based Competitive Bidding Process for procurement of power from Grid Connected Wind Solar Hybrid Projects” issued by the Ministry of New and Renewable Energy vide F.No. 238/78/2017-Wind dated 14.10.2020, including subsequent amendments and clarifications, if any, issued until the last date of bid submission of this RfS</i>

4. Response to RfS

SECI, under the administrative control of the Ministry of New and Renewable Energy (MNRE) is the implementing agency for various schemes of MNRE/GoI including VGF, Solar Park, and UMREPP of the development of solar, wind, and hybrid power. SECI is a category-I Trading Licensee from Central Electricity Regulatory Commission (CERC) to carry out power trading on pan-India basis.

On 22.10.2021, SECI issued the Request for Selection Document (‘RfS’) along with Standard PPA and PSA document on ISN Electronic Tender System (ETS) e-bidding portal for Selection of Project Developers for setting up of 1200 MW ISTS-connected Wind Solar Hybrid Power Projects (Tranche-V).

The proposal was to establish ISTS-connected Wind-Solar Hybrid Power projects on “Build Own Operate” basis for an aggregate capacity of 1200 MW. The RfS Document has been prepared in line with the Guidelines for Hybrid Projects notified by the Government of India.

As per the arrangements, SECI is to procure the Renewable power by entering into PPA(s) with the successful bidders for resale of the power to the Distribution Licensees/Buying Entities under the PSAs to be entered into on a back-to-back basis with Distribution Licensees/Buying Entities.

The Ministry of Power, Government of India has notified the guidelines under Section 63 of the Act.

SECI has been designated as the nodal agency for implementation of scheme for setting up of ISTS connected/State specific solar/wind power projects with the mandate to invite bids under Tariff Based Competitive Bidding process, enter in to Power Purchase Agreements (PPAs) at the tariff discovered in the competitive bid process conducted and further entering in to Power Sale Agreements (PSAs) with the Distribution Licensees to enable them to fulfil their power as well as Renewable Purchase Obligations (RPO) under section 86(1)(e) of the Act.

On 14.10.2020, Ministry of New and Renewable Energy (hereinafter 'MNRE') notified "Guidelines for Tariff Based Competitive Bidding Process for procurement of power from Grid Connected Wind Solar Hybrid Projects" (hereinafter 'Guidelines for Hybrid Projects').

The Guidelines for Hybrid Projects have been issued under the Wind-Solar Hybrid Policy dated 14.05.2018 of the MNRE.

These Guidelines had been formulated for procurement of power from Grid Connected Wind Solar Hybrid Projects with the objective to provide a framework for promotion of large grid connected wind-solar PV hybrid system for optimal and efficient utilization of transmission infrastructure and land, reducing the variability in renewable power generation and achieving better grid quality.

SECI had floated Request for Selection (RfS) for Selection of Hybrid Power Developers for Setting up of 1200 MW ISTS-connected Wind-Solar Hybrid Power Projects (Tranche-V) with following final schedule:

<i>SECI's Key Details for RfS for Selection of Hybrid Power Developers for Setting up of 1200 MW ISTS-connected Wind-Solar Hybrid Power Projects (Tranche-V)</i>		
<i>Sr. No.</i>	<i>Particulars</i>	<i>Details</i>
<i>1</i>	<i>Tender ID</i>	<i>SECI000058</i>
<i>2</i>	<i>Tender Reference No-</i>	<i>SECI/C&P/IPP/13/0003/21-22</i>
<i>3</i>	<i>Tender Publication Date</i>	<i>Friday, 22.10.2021</i>
<i>4</i>	<i>Pre-Bid Meeting Date</i>	<i>Monday, 01.11.2021</i>

5	Document Sale Start Date	Friday, 22.10.2021
6	Document Sale End Date	Tuesday, 04.01.2022
7	Bid Submission End Date (Soft Copy)	Tuesday, 04.01.2022
8	Bid Submission End Date (Hard Copy)	Thursday, 06.01.2022
9	Bid Open Date	Friday, 07.01.2022
10	Tender Type	e-RA

Total 13 bidders aggregating to 4370 MW bid capacity had submitted their bids and were technically qualified by SECI, with following details:

Sr. No.	Bidder's Name	Capacity (MW)
1	Project Eleven Renewable Power Private Limited	300
2	AMP Energy Green Private Limited	120
3	SJVN Limited	200
4	Azure Power India Private Limited	300
5	NTPC Renewable Energy Limited	450
6	XL Xergi Power Private Limited	400
7	Hero Solar Energy Private Limited	300
8	Adani Renewable Energy Holding Eight Limited	600
9	Power Mech Projects Limited	50
10	ReNew Solar Power Private Limited	600
11	TP Saurya Limited	600
12	Eden Renewable Sully Private Limited	300
13	Torrent Power Limited	150
Total Capacity (MW)		4370

As per terms and conditions of tender, 12 bidders with aggregate capacity of 4220 MW could qualify for e-reverse auction and e-reverse auction was conducted by SECI. Post financial bid opening following bidders have been shortlisted for e-reverse auction.

Sr. NO.	Bidder's Name	Capacity (MW)	Quoted Tariff (Rs./kWh)
1	Project Eleven Renewable Power Private Limited	300	2.59

2	AMP Energy Green Private Limited	120	2.66
3	SJVN Limited	200	2.67
4	Azure Power India Private Limited	300	2.71
5	NTPC Renewable Energy Limited	450	2.75
6	XL Xergi Power Private Limited	400	2.78
7	Hero Solar Energy Private Limited	300	2.80
8	Adani Renewable Energy Holding Eight Limited	600	2.84
9	Power Mech Projects Limited	50	2.87
10	ReNew Solar Power Private Limited	600	2.88
11	TP Saurya Limited	600	2.97
12	Eden Renewable Sully Private Limited	300	2.98
Total Capacity		4220	-

The offered tariff from SECI has been discovered through transparent competitive bidding process. The selection of successful bidder and determination of tariff of the Projects has been carried out by SECI through a transparent process of competitive bidding in accordance with Guidelines issued by Ministry of Power, Government of India under Section 63 of the Act.

SECI had conducted e-Reverse Auction on 05.05.2022 wherein bidder wise capacity awarded, and tariff discovered through e-Reverse Auction is herein below:

Sr. No	Bidder's Name	Bidder's Quantity (MW)	Tariff (INR/kWh)	Awarded capacity (MW)
1	TP Saurya Limited	600	2.53	600
2	AMP Energy Green Private Limited	120	2.53	120
3	NTPC Renewable Energy Limited	450	2.53	450

Out of this 1170 MW Bid Capacity, 1070 MW has been offered to the MUL.

5. Observation

Committee finds that, the SECI has been designated as the nodal agency for implementation of scheme for setting up of ISTS connected/State specific solar/wind

power projects with the mandate to invite bids under Tariff Based Competitive Bidding process for entering in to Power Purchase Agreements (PPAs) at the tariff discovered in the competitive bid process conducted as per section 63 of the Act, and enters in to Power Sale Agreements (PSAs) with the Distribution Licensees to enable them to fulfil their power as well as Renewable Purchase Obligations under section 86(1)(e) of the Act.

SECI, under the administrative control of the Ministry of New and Renewable Energy (MNRE) as the implementing agency has issued the Request for Selection Document (RfS) along with Standard PPA and PSA document on ISN Electronic Tender System (ETS) e-bidding portal for Selection of Project Developers for setting up of 1200 MW ISTS-connected Wind Solar Hybrid Power Projects (Tranche-V).

The RfS Document has been prepared in line with Ministry of New and Renewable Energy (hereinafter 'MNRE') notified "Guidelines for Tariff Based Competitive Bidding Process for procurement of power from Grid Connected Wind Solar Hybrid Projects" (hereinafter 'Guidelines for Hybrid Projects'). The Guidelines for Hybrid Projects have been issued under the Wind-Solar Hybrid Policy dated 14.05.2018 of the MNRE.

As per the arrangements, SECI is to procure the Renewable power by entering into PPA(s) with the successful bidders for resale of the power to the Distribution Licensees/Buying Entities under the PSAs to be entered into on a back-to-back basis with Distribution Licensees/Buying Entities.

Further, in recent SECI/State RE Tenders, discovered Tariff is in the range of Rs 2.82/kWh to Rs 3.03/kWh for PPA duration of 25 years with details herein as under:

Sr. No.	Tender Detail	RE Type	Bid Submission Date	Tariff Discovered (Rs./kWh)
1	TPDDL 255 MW Hybrid Project	Hybrid	09.11.2022	3.00
2	RUMSL 750 MW Hybrid, In MP	Hybrid	01.09.2022	3.03

3	MSEDCL 500MW VIII Inter/Intra-State	Solar	09.11.2022	2.90-2.95
4	MSEDCL 500MW VIII Inter/Intra-State	Solar	30.08.2022	2.82
5	MSEDCL 500MW VII Intra- State	Solar	28.07.2022	2.92
6	GUVNL 500 MW Wind (PHASE III) with Green Shoe option of up to 500 MW	Wind	04.07.2022	2.84

Accordingly, the Committee finds that the Wind-Solar Hybrid Tranche-V scheme is complied with the guidelines as issued by Ministry of Power and also the proposed tariff is cost effective for supplying power to MUL's licensee area with below key project details.

Developer's Name	Hybrid Capacity (MW)	Project Location	Declared CUF (%)	Declared Mus Per Annum	Tariff# (Rs./kWh)
TP Saurya Limited (Tata Power)	600 MW (Solar-400, Wind-200)	Karnataka	30%	1578	2.53
AMP Energy Green Private Limited	120 MW (Solar-110, Wind-39.9)	Rajasthan	37%	389	2.53
NTPC Renewable Energy Limited	450 MW (Solar-300, Wind-150)	Solar: Rajasthan Wind: Gujarat	30%	1183	2.53

SECI's Trading Margin will be 7 paisa per kWh over and above the applicable tariff.

Sr. No	Name	Designation	Signature
1	Shri Mehul Rupera	Director	Sd/-
2	Shri Vijil Jain	Chief Financial Officer	Sd/-
3	Shri Ranjan Kumar	Senior Manager	Sd/-
4	Shri Mohit Srivastava	Manager	Sd/-

- 5.17 As per the SECI's Report of the Bid Evaluation Committee and recommendation after techno-commercial bid evaluation, all the 13 bidders aggregating to 4370 MW bid capacity have been found techno-commercially eligible and qualified in line with the qualifying requirements as laid down in the RfS.
- 5.18 We also noted SECI's report on financial bid evaluation and shortlisting of bidders for e-Reverse Auction (e-RA) and noted that after techno-commercial bid evaluation total capacity eligible for e-RA is 4220 MW out of which total capacity eligible for award is 1200 MW.
- 5.19 SECI in its Bid Evaluation report has also recommended that following bidders are found to be qualified as per the requirements of RfS and to issue Letter of Awards (LOAs) for 1170 MW capacity to the successful bidders.

Sr. No	Bidder's Name	Bid Capacity	Tariff (INR/kWh)	Allotted Capacity (MW)
1	TP Saurya Limited	600	2.53	600
2	AMP Energy Green Private Limited	120	2.53	120
3	NTPC Renewable Energy Limited	450	2.53	450
	Total awarded capacity			1170

- 5.20 SECI after the conclusion of bidding process has also filed certificate in compliance with the RFS No. SECI/C&P/IPP/13/0003/21-22 dated 22.10.2021 issued by Solar Energy Corporation of India Limited (SECI) for procurement of 1070 MW ISTS connected Wind Solar Hybrid Power under Tranche-V Scheme certifying that the Evaluation Committee constituted for evaluation of RfS has conducted the techno-commercial as well financial bid evaluation in conformity to the provisions of the RfS, which is reproduced as under.

*"CONFORMITY CERTIFICATE
(To whomsoever it may concern)*

We, Undersigned Committee nominated at Solar Energy Corporation of India Limited, 6th Floor, Plate-B, NBCC Office Block Tower-2, East Kidwai Nagar, New Delhi-110023, do hereby solemnly certify and state as follows:

With respect to the RFS No. SECI/C&P/IPP/13/0003/21-22 dated 22.10.2021 dated 22.10.2021, it is hereby declared as follows:

- 1. After the conclusion of bid submission, the Evaluation Committee constituted for evaluation of bids has conducted the techno-commercial as well financial bid evaluation in conformity to the provisions of RfS.*
- 2. Applicable Guidelines and amendments/clarifications thereof, if any, issued by Government of India for the bidding process were followed in the above tender and no deviation was taken from the Guidelines in the RfS documents for the above tender.*

<i>Sr. No.</i>	<i>Name</i>	<i>Designation</i>	<i>Signature</i>
<i>1</i>	<i>Pratik Prasun</i>	<i>Sr. Manager (C&P)</i>	<i>Sd/-</i>
<i>2</i>	<i>Jyoti</i>	<i>Dy. Manager (Fin.)</i>	<i>Sd/-</i>
<i>3</i>	<i>Aalok Singh</i>	<i>For Techno-commercial bid evaluation</i>	<i>Sd/-</i>
<i>4</i>	<i>P. Venkatesan</i>	<i>For financial bid evaluation</i>	<i>Sd/-</i>

- 5.21 We note that as per Clause 13 of the 'Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Wind Solar Hybrid Projects issued by the Ministry of New and Renewable Energy, after the conclusion of bidding process, the Evaluation Committee constituted for evaluation of RfS bids has to certify as appropriate that the bidding process and the evaluation has been conducted in conformity to the provisions of the RfS. As already noted above, the SECI in compliance to aforesaid clause has filed the certificate of the Bid Evaluation Committee certifying that the Committee has critically evaluated the bids and that the bidding process and the evaluation has been conducted in conformity to the provisions of the RfS.

5.22 It is submitted that SECI has conducted the said Competitive Bidding Process followed by e-reverse auction under RfS documents which are consistent with the Guidelines notified by MoP as amended from time to time.

5.23 It is stated that the techno-commercial bids were opened in presence of the SECI's Bid Evaluation Committee and since the Bid Evaluation Committee after evaluating the techno-commercial bids had declared all the 13 bidders with aggregate capacity of 4370 MW as techno-commercial eligible. As per terms & conditions of tender, 12 bidders with aggregate capacity of 4220 MW were qualified for the e-reverse auction and accordingly, e-reverse auction was conducted by the SECI and as per the criteria mentioned in the RfS document, the Petitioner has submitted that Letters of Intent (LOIs) are issued by the SECI to the below three successful bidders as under:

Sr. No	Bidder's Name	Bid Capacity	Tariff (INR/kWh)	Allotted Capacity (MW)
1	TP Saurya Limited	600	2.53	600
2	AMP Energy Green Private Limited	120	2.53	120
3	NTPC Renewable Energy Limited	450	2.53	450
	Total awarded capacity			1170

5.24 In view of the foregoing, the Commission is satisfied with the entire tendering process including the e-reverse bidding conducted by the SECI in a transparent manner and discovered tariff of successful bidders with quoted capacity and allocated capacity to them as stated below:

Sr. No	Bidder's Name	Bid Capacity	Tariff (INR/kWh)	Allotted Capacity (MW)
1	TP Saurya Limited	600	2.53	600
2	AMP Energy Green Private Limited	120	2.53	120
3	NTPC Renewable Energy Limited	450	2.53	450
	Total awarded capacity			1170

5.25 Further, Commission also notes that the discovered Tariff is in the range of Rs 2.82/kWh to Rs 3.03/kWh in recent SECI/State RE Tenders for PPA duration of 25 years which is also market aligned.

5.26 The Commission, therefore, decides to approve the power procurement of Petitioner for the Power Supply Agreement executed with SECI at the above discovered tariff of Rs. 2.53 per unit plus SECI's trading margin of Rs. 0.07 per unit through its three bidders, viz., (i) TP Saurya Limited (ii) AMP Energy Green Private Limited and (iii) NTPC Renewable Energy Limited for allocated capacity of Petitioner herein as under.

Sr. No	Bidder's Name	MUL's share in HPD's Project	Approved Tariff# (INR/kWh)
1	TP Saurya Limited	549	2.60
2	AMP Energy Green Private Limited	110	2.60
3	NTPC Renewable Energy Limited	411	2.60
	Total Contracted Capacity	1070	

Including SECI's Trading margin of Rs. 0.07 per unit.

5.27 We also approve the Power Supply Agreement executed by the Petitioner with SECI.

6. SUMMARY OF DECISIONS:

6.1 We decide to approve the power procurement of the Petitioner for the Power Supply Agreement executed with SECI under the transparent competitive bidding process conducted by the SECI through RFS No. SECI/C&P/IPP/13/0003/21-22 dated 22.10.2021 issued by Solar Energy Corporation of India Limited (SECI) for procurement of 1070 MW ISTS connected Wind Solar Hybrid Power under Tranche-V Scheme as under:

Sr. No	Bidder's Name	MUL's share in HPD's Project	Approved Tariff# (INR/kWh)
1	TP Saurya Limited	549	2.60
2	AMP Energy Green Private Limited	110	2.60

3	NTPC Renewable Energy Limited	411	2.60
	Total Contracted Capacity	1070	

Including SECI's Trading margin of Rs. 0.07 per unit.

- 6.2 We also approve the Power Supply Agreement executed by the Petitioner with SECI.
7. Order accordingly.
8. With this order the present Petition stands disposed of.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Sd/-
[Anil Mukim]
Chairman

Place: Gandhinagar
Date: 24/03/2023

