



CSERC

छत्तीसगढ़ राज्य
विद्युत नियामक आयोग

Index

**BEFORE THE HON'BLE CHHATTISGARH STATE ELECTRICITY
REGULATORY COMMISSION, AT RAIPUR**

PETITION NO. OF 2023

IN THE MATTER OF:

Petition under Section 63 of the Electricity Act, 2003 for seeking permission to negotiate and further approval of tariff for procurement of 240 MW from 01.08.2023 for a period of 5 years discovered through competitive bidding process on DEEP portal selected through Competitive Bidding Process as per "*Guidelines for Procurement of Electricity for Medium-term Power Stations set up on Finance, Own and Operation (FOO) basis*" issued by the Ministry of Power, Government of India on 30.01.2019, and its amendments thereof.

AND

IN THE MATTER OF:

M/s. Jindal Steel and Power Limited
P.B. No. 16, Patrapali, Kharsia Road,
Raigarh, Chhattisgarh – 496001

... PETITIONER

INDEX

| S. No. | Description | Anne xures | Page No. |
|-------------------|--|-----------------------|-----------------|
| 1. | Petition under Section 63 of the Electricity Act, 2003 for seeking permission to negotiate and further approval of tariff for procurement of 240 MW from 01.08.2023 for a period of 5 years discovered through competitive bidding process on DEEP portal selected through Competitive Bidding Process as per " <i>Guidelines for Procurement of Electricity for Medium-term Power Stations set up on Finance, Own and Operation (FOO) basis</i> " issued by the Ministry of Power, Government of India on 30.01.2019, and its amendments thereof, alongwith Supporting Affidavit. | | 1-22 |

| | | | |
|-----|---|------------|---------|
| 2. | Authority Letter /Power of Attorney | | 23-26 |
| 3. | A copy of the letter dated 26.08.2022 | P-1 | 27 |
| 4. | A copy of the order dated 22.03.2023 passed by this Hon'ble Commission | P-2 | 28-32 |
| 5. | A copy of the Medium-term Competitive Bidding Guidelines issued by the Ministry of Power | P-3 | 33-302 |
| 6. | A copy of the letter dated 06.06.2023 issued by the Petitioner/ JSPL-D to this Hon'ble Commission | P-4 | 303-304 |
| 7. | A copy of the Request for Qualification and Request for Proposal dated 25.05.2023 | P-5 | 305-378 |
| 8. | A copy of the Draft Agreement for Procurement of Power under Medium-Term on FOO basis | P-6 | 379-510 |
| 9. | A copy of the invitation for bids under the Medium-Term Competitive Bidding Process issued by the Petitioner/ JSPL-D bearing Event No. NIT- PFC Consulting Limited/Medium/Lump-sum Tariff/23-24/ET/57 | P-7 | 511 |
| 10. | Bid sheet for the e-Reverse Auction conducted on 30.06.2023 by PFC Consulting Limited bearing Event No. NIT- PFC Consulting Limited/Medium/Lumpsum Tariff/23-24/ET/57 | P-8 | 512 |
| 11. | Vakalatnama | | 513-514 |
| 12. | Petition Fee - U/s 63 of the EA 2003, as per Sr.No.18 under schedule I of the CSERC (Fee and Charges) Regulation 2009. Rs.2,40,000/- | | |

Date: 11-07-2023

Raipur

For, Jindal Steel & Power Limited


Authorized Signatory

Petition

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MOST REPECTFULLY SHOWETH:

1. The Petitioner, M/s. Jindal and Steel Power Limited ("**JSPL-D**"), is a company duly incorporated under the provisions of the Companies Act, 1956 and is engaged in the business of manufacturing of steel, power generation, mining and infrastructure sectors.

For, Jindal Steel & Power Limited


6
Authorized Signatory

It is submitted that the Petitioner/ JSPL-D has been granted a distribution license by this Hon'ble Commission vide order dated 29.11.2005 in Case No. 129/CSERC/2005, for distribution and retail supply of electricity in the O.P. Jindal Industrial Park ("**OPJIP**") and in the area of villages Tumdih and Punjipathra of Gharghoda tehsil of Raigarh District, Chhattisgarh. The said grant of license has also been upheld by the Hon'ble Supreme Court in its Judgment dated 29.09.2022, passed in Civil Appeal Nos. 3607-3610 of 2008.

Brief Background:

2. At the outset, it is pertinent to place certain facts before this Hon'ble Commission, which are vital in the context of JSPL-D undertaking long-term competitive bidding in terms of the Judgment dated 06.05.2022 passed by the Hon'ble Appellate Tribunal for Electricity ("**Hon'ble APTEL**"). The said brief facts are succinctly summarised as under:
 - (a) In terms of the directions passed by the Hon'ble APTEL, JSPL-D initiated the process of long-term bidding, which

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was duly informed by JSPL-D to this Hon'ble Commission vide its letter dated 26.08.2022;

A copy of the letter dated 26.08.2022 is annexed hereto and marked as **ANNEXURE P - 1**

- (b) Although the Request for Qualification ("RFQ") was issued on 06.09.2022 on the DEEP portal (*Event no. - PFC Consulting Limited/Long/Coal from CIL/22-23/ET/RFQ/157*), wherein, the due date for submission of applications was fixed as 30.09.2022. However, the due date had to be extended multiple times as no interest was received from any applicant due to lack of coal linkages under Shakti B(iii) route;
- (c) After multiple extensions, two (2) applicants expressed interest and participated in pre-bid meeting on 02.11.2022;
- (d) However, as expected, a new round of auction for Shakti B(iii) was not initiated and accordingly, the due date had to be extended further on request of applicants;

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- (e) Pursuant to the above, on 28.12.2022, Round 4 of Shakti B(iii) auction was announced with the auction date being fixed as 14.02.2023;
 - (f) In terms thereof, JSPL-D again issued the RFQ on DEEP portal (*Event no. PFC Consulting Limited/Long/Coal from CIL/22-23/ET/RFQ/235*) on 18.01.2023;
 - (g) The pre-bid conference was held on 21.02.2023 in which two applicants participated and the last date of submission of bids was fixed as 15.04.2023; and
 - (h) However, as of now, the results of Shakti B(iii) Round 4 were awaited when the Petitioner decided to proceed for Medium term since short term PPA was nearing its expiration date.
3. That, whilst the long-term bidding could not take place on account of the events as detailed hereinbefore, it would also be necessary to point out that in the interregnum period, the Petitioner's short-term power procurement arrangement with Jindal Power Limited was coming to an end on 31.03.2023. Accordingly, after having conducted short-term competitive

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bidding, the Petitioner secured supply of power from Jindal Power Limited until 31.07.2023.

The same was also approved by this Hon'ble Commission vide its order dated 22.03.2023.

A copy of the order dated 22.03.2023 passed by this Hon'ble Commission is annexed hereto and marked as **ANNEXURE P – 2**

Scope of the present petition:

4. That, the existing short-term power procurement arrangement of the Petitioner/ JSPL-D with Jindal Power Limited ("JPL") will come to an end on 31.07.2023.
5. In view of the expiry of the said short-term arrangement and in order to ensure that continuous power supply is made available to the consumers, the Petitioner/ JSPL-D as a prudent distribution licensee intending to procure power on medium-term basis, has carried out Competitive Bidding as per the Guidelines issued by the Ministry of Power for Procurement of Electricity for Medium-Term from Power Stations set up on Finance, Own and Operate (FOO) basis dated 30.01.2019 and

For, Jindal Steel & Power Limited


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