

Companies, GUVNL had been purchasing power from various RE Sources by entering into PPAs at the tariff determined by Hon'ble Commission.

2.2 Pursuant to the directives of Hon'ble Commission vide letter dated 18.03.2017 for procurement of power from Wind and Solar projects only through Competitive Bidding, GUVNL started procuring power from Wind and Solar PV Projects by conducting Competitive Bidding and by obtaining approval of Hon'ble Commission for adoption of tariff discovered thereunder.

2.3 Hon'ble GERC vide letters dated 29.04.2022 and 01.09.2022 has directed the Distribution Licensees to file Petition with necessary details / documents for RPO Compliance for FY 2021-22 as per the GERC (Conduct of Business) Regulations, 2004 and pay the requisite fees as per GERC (Fees, Fines and Charges), Regulations 2005. In response, the Petitioner vide letter dated 12.09.2022 had clarified that GUVNL / DISCOMs are yet to finalize accounts and once the same are finalized, GUVNL shall be filing the requisite Petition as per the directives of Hon'ble GERC.

2.4 Accordingly, taking into consideration the revisions in State Energy Accounts (SEA) / Regional Energy Accounts (REA) and annual accounts of GUVNL & DISCOMs, the Petitioner hereby submits the status of RPO compliance for FY 2021-22 by way of this present Petition, which is tabulated as under:

RPO Compliance for FY 2021-22	Wind	Solar	Others*	Total
<b>Actual Total Consumption (MUs)</b>				<b>108289</b>
<b>Less: Hydro Power Purchase (MUs)</b>				<b>1086</b>
<b>Actual Consumption excl. hydro (MUs)</b>				<b>107203</b>
<b>Target RPO% notified by Commission</b>	8.25%	8.00%	0.75%	<b>17.00%</b>
<b>Target RPO (MUs)</b>	8844	8576	804	18225
<b>Actual RE Purchase (MUs)</b>	8686	7247	211	16145
<b>Achieved RPO%</b>	<b>8.10%</b>	<b>6.76%</b>	<b>0.20%</b>	<b>15.06%</b>
<b>Shortfall (-) / Excess (+) (MUs)</b>	(158)	(1,329)	(593)	(2,080)
<b>Shortfall (-) / Excess (+) (%)</b>	-0.15%	-1.24%	-0.55%	-1.94%

\* Includes Mini-Hydel, Biomass co-firing, RE Attributes from Waste to Energy Projects



2.5As regard to the **Non-Solar RPO** of FY 2021-22, it is to humbly submit that GUVNL / DISCOMs have purchased 8897 MUs non-solar energy i.e. 8.30 % as against the requirement of 9648 MUs i.e. 9.00% stipulated non-solar RPO%.

2.6As regard to the **Solar RPO** of FY 2021-22, GUVNL / DISCOMs have purchased 7247 MUs solar energy i.e. 6.76 % against requirement of 8576 MUs to meet the stipulated solar RPO of 8.00%.

2.7Thus, the net shortfall in compliance of total RPO compliance for FY 2021-22 is 2080 MUs i.e. 1.94 %.

2.8As regard to the shortfall in RPO Compliance during FY 2021-22, it is pertinent to submit the following before Hon'ble Commission:-

**A. Constraints in availability of Renewable Energy / Delay in commissioning / Inadequate capacity addition despite tie-up**

- a) At the outset, it is to submit that GUVNL has undertaken Competitive Bidding Process through numerous Tenders for procurement of wind and solar power, since 2017. A detailed statement enlisting the Tenders invited by GUVNL for procurement of wind and solar power is enclosed herewith as **Annexure A**.

It is to humbly submit that GUVNL has been making consistent efforts towards promotion of RE and for meeting the increasing RPO targets by tying up RE Capacity through Competitive Bidding. However, there have been instances of delay in concluding tender(s) on account of reasons beyond control of GUVNL viz. extension in bid-deadlines based on Bidders requests, requirement of modifying Bid Security / Performance Bank Guarantees in the interest of Bidders' participation, etc. Besides, at certain times, GUVNL had to undergo scrapping of tenders and re-tendering process on account of reasons viz. discovery of higher tariffs, low participation / bid-submission by single bidder, requirement of modifying tender conditions in the interest of Bidders' participation & competition, etc. GUVNL had to undertake re-tendering for 700 MW Solar capacity to be set up at Dholera Solar Park and 100 MW at Raghnesda Solar Park. It is to submit that the aforesaid tendering process for procurement of 700



MW power has been challenged before APTEL and is stalled in wake of pendency of legal proceedings.

It is imperative to mention that a couple of Bidding Processes initiated by GUVNL have been deferred a number of times due to various reasons beyond control and factors not attributable to GUVNL. Had the same been concluded on time, GUVNL could have attained the benefit of additional generation from such procurement processes and helped mitigate RPO Compliance.

b) Moreover, it is to humbly submit that inspite of tying up capacity with certain RE Projects as mentioned hereinbelow, GUVNL could not avail the anticipated generation on account of factors solely attributable to such RE Generators and not attributable to GUVNL.

→ GUVNL had signed PPAs with the Bagasse based Co-Generation Projects (viz. 60.2 MW Project with Nitash Co-Generation Pvt Ltd and 16.8 MW Project with Vasu Bioenergy Pvt) which were not set up by the Project Developers, which otherwise could have contributed to an additional generation of **472 MUs** (@ normative CUF of 70%) and helped in RPO Compliance of GUVNL / DISCOMs.

→ The SCoD of M/s Cargo Power & Infrastructure Pvt Ltd's 25 MW Solar Thermal Project has been extended by Hon'ble Commission time and again and the project has not been set up till date. Timely execution of the Project could have entailed annual generation of **42 MUs** (@ normative CUF of 19%) and helped in RPO Compliance of GUVNL / DISCOMs.

→ Some of the PPAs executed by GUVNL for Waste to Energy (Municipal Solid Waste based) Projects have not been developed by the Project Developers and hence terminated by GUVNL on account of default on their part. Execution of 11.5 MW Project of RGE Surat Pvt Ltd could have entailed generation benefit of **86 MUs** (@ contracted PLF of 85%) and 4 MW Project of Junagadh WTE Pvt Ltd could have benefitted generation of **28 MUs** (@ normative PLF of 80%). Thus, these Projects could have attained



generation of 114 MUs and helped in RPO Compliance of GUVNL / DISCOMs.

- GUVNL was constrained to terminate a 30 MW Wind Project executed through Competitive Bidding (Phase-I) on account of default on part of the Wind Developer viz. M/s Evergreen Mahuva Windfarms Pvt Ltd, which could have otherwise added generation of 65 MUs (@ normative CUF of 24.5%).
- M/s Anisha Power Projects Pvt. Ltd's 40 MW Wind Project got (Competitive Bidding (Phase-II) delayed inordinately (even beyond Revised SCOD of 05.10.2021) and resultantly GUVNL was constrained to issue a Default Notice to them. The aforesaid Project could have otherwise added generation of 68 MUs (@ normative CUF of 40% as contracted under the PPA) from their Revised SCOD.
- There were also instances of delayed commissioning (even after giving 5 to 7.5 months' extension on account of Force Majeure of COVID). Had the same been commissioned as per their revised SCODs i.e. not been delayed by the Generators, GUVNL could have availed generation benefit from the same.
- It is to submit that GUVNL could have at least availed generation benefit aggregating to 382.64 MUs (considering normative generation @ 65% PLF from the Waste to Energy Projects tied-up by GUVNL which were scheduled to be commissioned before FY 2021-22. Against this, only 1 WTE Project has been commissioned so far and generated meagerly 1.13 MUs in FY 2021-22. Thus, GUVNL was deprived of aggregate generation of approx. 380 MUs which could have otherwise contributed in the RPO Compliance of GUVNL / DISCOMs.
- M/s Vena Energy Shivalik Wind Power Pvt Ltd's 17.6 MW capacity (out of the total 96.8 MW project capacity) was commissioned late depriving GUVNL from the benefit of higher generation during the windy season. Similarly, M/s Avaada Sunrise Energy Pvt Ltd's 225 MW capacity (out of the total 300 MW project capacity) was delayed on account of the Generator. Considering



the generation @ contracted CUF as committed by them in the PPA, it can be perceived that there was generation loss of around 75 MUs solely on account of their delay.

→ The 500 MW Solar Projects set up at Raghnesda Solar Park and 300 MW Dholera Solar Park were scheduled to be commissioned in April-2021 and Sept/Dec-2021 respectively. These Solar Projects were ready for charging of Plant & associated equipments but could not get commissioned on account of Force Majeure conditions of non-availability of evacuation infrastructure until August-2021 and March-2022 respectively. Had the same been commissioned on time, GUVNL could have availed generation benefit of around 830 MUs from the same.

c) Apart from above, it is to humbly submit that the State DISCOMs - MGVL, UGVCL, PGVCL & DGVCL had executed PPAs aggregating to 2497 MW capacity under the Govt. of Gujarat's "Policy for Development of Small Scale Distributed Solar Projects 2019", out of which SCODs for 320 MW capacity was within FY 2021-22. Against this, around only 45 MW capacity got commissioned during FY 2021-22. Had these Projects been commissioned on time, the DISCOMs could have availed generation benefit of around 45 MUs from the same. Besides, subsequently, various Solar Project Developers aggregating had exercised the "Exit Option" and presently the State DISCOMs are having PPAs of only 359 MW capacity.

d) To sum up, it can be deduced that GUVNL has remained deprived from the generation benefit equivalent to more than 2000 MUs from the abovementioned Projects on account of inadequate capacity addition / supply constraints in availability of RE sources and delayed commissioning. The above generation could have otherwise helped mitigate RPO Compliance of GUVNL / DISCOMs.



**B. Force Majeure on account of unforeseen outbreak of COVID pandemic**

a) It is to highlight that MNRE vide its Office Memorandum had decided that a blanket extension of 5 months' time may be granted to all the RE Projects under implementation, on account of Force Majeure due