

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 88/AT/2024

Subject : Petition under section 63 of the electricity act, 2003 for adoption of tariff of 1500 mw solar power projects connected to the inter-state transmission system (ISTS) and selected through competitive bidding process as per the guidelines dated 28.07.2023 of the ministry of power, government of India as amended from time to time and interpreted and modified by the central government vide subsequent communication/notifications.

Date of Hearing : **29.4.2024**

Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member

Petitioner : NTPC Limited (NTPC)

Respondents : ReNew Solar Power Private Limited & 3 Ors.

Parties Present : Ms. Shikha Ohri, Advocate, NTPC
Shri Kartik Sharma, Advocate, NTPC
Mr. Ankita Gupta, AEPL

Record of Proceedings

Learned counsel for the Petitioner submitted that the present Petition has been filed seeking adoption of tariff of 1500 MW solar power projects connected to the inter-State transmission system (ISTS) and selected through competitive bidding process as per the "*Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Projects*" dated 28.7.2023 ('the Guidelines') issued by the Ministry of Power, Government of India as amended from time to time and interpreted and modified by the Central Government vide subsequent communications/ notifications.

2. The representative of Respondent No.2, Avaada Energy Private Limited, sought the liberty to file a reply to the Petition.

3. In response to the specific query of the Commission regarding the status of the PPAs & PSAs, the learned counsel for the Petitioner submitted that the Petitioner is already in discussion with certain distribution licensees and is in the process of tying up the capacities. Learned counsel submitted that the Petitioner, in terms of the Guidelines, is required to approach the Commission for the adoption of the tariff discovered within 15 (fifteen) days of the discovery of the tariff through e-reverse auction. Learned counsel further submitted that the Petitioner is expecting the tying up of the awarded capacities soon and meanwhile, the Commission may consider issuing the notice after admitting the matter.

4. Considering the submissions made by the learned counsel for the Petitioner and the representative of the Respondent, the Commission ordered as under:



- (a) Admit. Issue notice to the Respondents.
- (b) Respondents to file their respective replies, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder, if any, within two weeks thereafter.
- (c) The Petitioner may also file its brief submission on the following aspects, on an affidavit, within two weeks:
- i. Appropriateness of the adoption of tariff without the PPAs and PSAs having been executed.
 - ii. In case the tariff is adopted without awaiting execution of the PPAs and PSAs, the relevancy of such adoption in case the Petitioner fails to tie up the awarded capacity or ties such capacity with open access consumers/consuming entities.
 - iii. Keeping in view that as per clause 10.5 of the Guidelines, the extension to the Scheduled Commencement of Supply Date of the generators gets triggered in case the Appropriate Commission fails to adopt the tariff within 60 days of submission of the Petition or within 120 days of PSA, whichever is later, whether these adoption proceedings should await the signing of the PSAs?
 - iv. Status of the execution of PPAs and PSAs and the anticipated timeline for tying up the entire awarded capacity.

5. The Petition will be listed for hearing on **24.5.2024**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)