

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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IA No. 77 of 2024 in Case No. 199 of 2024

Interlocutory Application of Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) for urgent listing of the Petition in Case No. 199 of 2024.

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Case No. 199 of 2024

Petition by MSEDCL for adoption of tariff for procurement of 13 MW of Wind-Solar Hybrid power in respect of MSEDCL's tender for procurement of 2000 MW Wind-Solar Hybrid power with Greenshoe option of additional capacity upto 2000 MW through competitive bidding.

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)...

Petitioner

BN Peak Power-1 Pvt. Ltd.(BNPP1PL)...

Respondent

Coram

Sanjay Kumar, Chairperson
Anand M. Limaye, Member
Surendra J. Biyani, Member

Appearance:

For the Petitioner

: Ms. Kavita Gharat (Rep.)

For the Respondent

: Mr. Rahul Tyagi (Rep)

ORDER

Date: 17 January 2025

1. Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL) has filed the Petition on 22 November 2024 for adoption of tariff for procurement of 13 MW of Wind-Solar Hybrid power. MSEDCL referred to Regulation 7 of MERC (Renewable Purchase Obligation, its

compliance and implementation of Renewable Energy Certificate Framework) Regulations, 2019 & its 1st amendment and Regulation 39 (a) & (c) of MERC (Transaction of Business and Fees & Charges) Regulations, 2022.

2. On 22 November 2024, MSEDCL filed IA No.77 of 2024 in Case No.199 of 2024 for urgent listing of matter.
3. The IA along with main matter was listed for hearing on 03 December 2024. The Representative of MSEDCL submitted that during proceedings in Case No.148 of 2024 inadvertently it has uploaded wrong file of e-filing portal. As a result (13) MW capacity has not been considered by the Commission in its Order dated 11 October 2024. She requested the Commission to consider the same.

4. **MSEDCL's main prayers are as under:**

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- a. *To admit the Petition as per the provisions as per the provisions of the Regulation 19 of MERC (RPO, Its Compliance and Implementation of REC Framework) Regulations, 2019 and under Section 63 of the Electricity Act (EA), 2003.*
- b. *To accord approval for adoption of the 13 MW Green Shoe option of M/s. Bright Night Peak Power -I Pvt Ltd.*
- c. *To accord approval for signing of the Power Purchase Agreement for this green shoe capacity @ Rs. 3.60 per unit.*
- d. *To consider procurement of Wind-Solar Hybrid for meeting RPO (requirement of MSEDCL. ”*

5. **MSEDCL in its Petition and IA stated as following facts:**

5.1. Major events in the competitive bidding process are as below:

Date	Event
11.03.2024	MSEDCL floated a tender for procurement of 2000 MW power from Wind-Solar Hybrid Projects with additional capacity up to 2000 MW through Green Shoe Option through competitive bidding (E-reverse auction) on Bharat-ETS web portal.
13.03.2024	MSEDCL intimated the Commission with regards to proposed power procurement.
20.03.2024	The Pre-bid meeting was conducted.
16.04.2024	The replies to pre-bid queries were conveyed.
24.05.2024	The last date of submission.
24.05.2024	The technical bids were opened

27.05.2024.	The financial bids were opened
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- 5.2. For adoption of Tariff, MSEDCL filed Petition in Case No.148 of 2024. In said Petition, MSEDCL intimated following details with regards to quantum of power and discovered tariff:

Sr. No.	Name of Bidder	Capacity (MW)	Tariff rate (Rs./kWh)
1	JSW Neo Energy Limited	600	3.60
2	Juniper Green Energy Pvt. Ltd.	75	3.60
3	BN Peak Power - 1 Private Limited	76	3.62
4	Avaada Energy Private Limited	850	3.69(75) +3.60(775)
	TOTAL	1601 MW	

- 5.3. Vide additional submission filed on 07 October, 2024, MSEDCL urged to consider the additional (13) MW capacity under green shoe option to be allocated to BNPP1PL.

- 5.4. Considering, additional Submission, the revised capacity eligible for tariff adoption was as below:

Sr. No.	Name of Bidder	Capacity (MW)	Tariff rate (Rs./kWh)
1	JSW Neo Energy Limited	600	3.60
2	Juniper Green Energy Pvt. Ltd.	75	3.60
3	BN Peak Power - 1 Private Limited	89	3.62(76)+3.60(13)
4	Avaada Energy Private Limited	850	3.69(75)+3.60(775)
	TOTAL	1614 MW	

- 5.5. During the hearing held on 08 October 2024 before Commission, total 1614 MW capacity was mentioned.

- 5.6. The Commission passed the Order on 11 October 2024 in Case No. 148 of 2024. In said Order the additional quantum of (13) MW under Green Shoe option was not considered.

- 5.7. While perusing the additional submission, MSEDCL noticed that the word file of the same was uploaded on on-line portal, however, inadvertently the wrong pdf copy was uploaded.

- 5.8. Now for correcting the quantum of power procurement, MSEDCL requested the Commission to consider (13) MW Green Shoe capacity of BNPP1PL at a tariff of Rs. 3.60 per unit along with approved capacity of 1601 MW. Details of total capacity to be considered for tariff adoption is as below:

Sr. No.	Name of Bidder	Approved Capacity in Order dated 11 Oct 2024 (in MW)	Tariff rate (Rs./kWh)	Requested Capacity in present Petition (MW)	Tariff rate (Rs./kWh)
1	JSW Neo Energy Limited	600	3.60	--	--
2	Juniper Green Energy Pvt. Ltd.	75	3.60	--	--
3	BN Peak Power - 1 Private Ltd	76	3.62	13	3.60
4	Avaada Energy Private Limited	850	3.69(75) +3.60(775)	--	--
	Total Capacity (1614 MW)	1601 MW		13 MW	

Commission's Analysis and Rulings:

6. The Commission notes that as against bids discovered for 2000 MW + 2000 MW (Green Shoe Option) Wind Solar Hybrid projects, MSEDCL had approached the Commission in Case No. 148 of 2024 for tariff adoption. The Commission vide Order dated 11 October 2024 has adopted discovered tariff for 1601 MW capacity.
7. In present Petition, MSEDCL has pointed out that during above said proceeding, vide its submission dated 7 October 2024, MSEDCL has requested the Commission to add 13 MW additional capacity from BNPP1PL. Same was mentioned during the hearing held in above matter on 8 October 2024. However, MSEDCL has failed to upload correct PDF copy of above said submission in e-filing portal and hence the Commission in its Order dated 11 October 2024 could not consider such additional capacity of 13 MW.
8. The Commission notes that MSEDCL in its submission in present matter has accepted that due to inadvertent error at their end, correct submission was not uploaded on e-filing portal. Hence, it has filed this fresh Petition for adoption of such additional quantum of 13 MW.
9. The Commission notes that in its Order dated 11 October 2024, it has adopted tariff for the following projects:

Sr. No.	Name of Bidder	Capacity (MW)	Tariff rate (Rs./kWh)
1	JSW Neo Energy Limited	600+400 (Green Shoe)	3.60
2	Juniper Green Energy Pvt. Ltd.	75	3.60
3	BN Peak Power - 1 Pvt. Ltd.	76	3.62

Sr. No.	Name of Bidder	Capacity (MW)	Tariff rate (Rs./kWh)
4	Avaada Energy Pvt. Ltd.	75+775 (Green Shoe)	3.61
	TOTAL	1601 MW	

13 MW additional power from BNPP1PL at tariff of Rs 3.60/kWh proposed in the present Petition is part of same bid process and within the bid capacity of 2000 MW + 2000 MW green shoe option.

10. In view of above, the Commission adopts the tariff of Rs 3.60/kWh for additional quantum of 13 MW from BNPP1PL.
11. Hence, the following Order:

ORDER

1. Petition in Case No. 199 of 2024 is allowed and IA No. 77 of 2024 disposed of accordingly.
2. The Commission accords its approval to MSEDCL's proposal for additional power procurement of (13) MW in respect of BNPP1PL at tariff of Rs. 3.60/kWh discovered through competitive bidding for 25 years.
3. The power procured from projects considered in this Petition shall be considered for meeting the Renewable Purchase Obligation requirement of MSEDCL.

Sd/-
(Surendra J. Biyani)
Member

Sd/-
(Anand M. Limaye)
Member

Sd/-
(Sanjay Kumar)
Chairperson


(Dr. Rajendra G. Ambekar)
Secretary

