

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 243/AT/2025

Subject : Petition under Section 63 of the Electricity Act, 2003 for the adoption of the tariff of Solar PV Power Projects (Tranche xviii) connected to the inter-state transmission system (ISTS) and selected through competitive bidding process as per the Guidelines dated 28.7.2023.

Petitioner : Solar Energy Corporation of India Limited (SECI).

Respondent : ReNew Solar Power Private Limited & Others.

Date of Hearing : **13.3.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Ms. Shikha Ohri, Advocate, SECI
Shri Kartik Sharma, Advocate, SECI
Shri Ankit Parsoon, Advocate, ASHL
Shri Vinit Kumar, Advocate, ASHL
Shri Shubham Singh, Advocate, ASHL

Record of Proceedings

During the course of the hearing, the learned counsel for the Petitioner submitted that the Petitioner had filed an affidavit dated 11.3.2025 in compliance with the Commission's directions, vide Record of Proceedings for the hearing dated 27.2.2025. Learned counsel further submitted that the HPERC has already accorded the approval for the procurement of energy from SECI, and a Power Sale Agreement (PSA) has been executed for a total capacity of 550 MW with HPSEBL, considering the Scheduled Commencement of Supply Date (SCSD) of 30.6.2025.

2. In response to the query of the Commission regarding the reason for the higher tariff discovered as compared to the previous plain solar ISTS tender, the learned counsel for the Petitioner submitted that SECI has already filed its affidavit dated 11.3.2025 covering the above aspect. Learned counsel further referred its affidavit dated 11.3.2025 and submitted that the recent tariff discovered in the case of various solar tenders floated by other REIAs are in the range of Rs 2.50-2.60/kWh having SCSD as 24 months from the effective date of the PPA/Connectivity start date, whichever is later. However, in the present case, the SCSD is 30.6.2025, and the PPA and PSA have already been signed. Therefore, comparing the tariff solely with SECI's previous ISTS Solar tender is not a valid basis for assessing the reasonableness of the tariff. Learned counsel further pointed out that in the Solar Tranche XVI tender, the SCSD for the projects was set at 24 months from the effective date of the PPA, meaning the expected start date for the connectivity would be after November 2026. As a result, transmission charges would apply and must be borne by the Discoms; that's why, as on this date, no PSA has been signed with the Discoms under the Solar Tranche XVI tender.



3. In response to further query of the Commission regarding the status of the project, the learned counsel for Respondent No.2, ACME Solar Holdings Limited ('ASHL'), submitted that ASHL aims to complete the commissioning of its project by 31.5.2025. Further, regarding the reasonability of the higher tariff, the learned counsel for the Respondent, ASHL, submitted that Clause 3.2 of the Solar Guidelines allows the procurer to specify additional milestones for the project with respect to land acquisition, connectivity, etc., and further to specify penalties with respect to non-compliance with such milestones/requirements. Accordingly, in the present tender, there is a requirement for the generators to have pre-existing connectivity, which can be used to commence power supply by 30.6.2025, and in case of failure to do so, applicable transmission charges are to be borne by the generator. The learned counsel further submitted that projects in the context of which bids have been received under the present tender are akin to Case 1 bid-out thermal power projects where all the obligations, such as procuring land, initial consent, fuel supply, etc., are to be arranged by the developer without a firm signed PPA which inevitably results into the higher tariff. Similarly, in the present case, in the absence of a firm PPA, the generator was required to infuse higher equity as well as bear higher interest when financing becomes available at a later stage. Learned counsel added that the present tender is meant for projects which carried a risk factor of putting the investment without any probability of signing the PPA. The risks associated with developing such projects entail a higher cost of development, resulting in a higher tariff. In addition, Learned counsel further pointed out that the higher tariff also accounts for the risk associated with the specific conditions outlined in Clause 9.2 of the RfS.

4. Considering the submissions made by the learned counsel for the parties, the Commission noted that the affidavit dated 11.3.2025, filed by SECI, did not address the reasonableness of the higher tariff/bid as requested for the adoption of the tariff by the SECI in the present case. In view of the above, the Commission directed as under:

(a) The Petitioner and the Respondents are to submit on an affidavit within a week giving an explanation regarding the reasonability for the higher tariff/bid discovered in the present tender along with a calculation of per unit ISTS charges if the waiver of ISTS charges is not available to the beneficiary.

(b) The Petitioner to submit on an affidavit within a week giving the details regarding the status of the projects after ascertaining the same from the selected bidders.

5. The Petition will be listed for the hearing on **25.3.2025**.

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