

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH

Petition No. 17 of 2020
Date of Order: 16.12.2020

Petition under Section 86 (1) (b) of the Electricity Act, 2003 Read with Rule 8 of the Electricity Rules, 2005, Punjab State Electricity Regulatory Commission (Power Purchase and Procurement Process of Licensees) Regulations, 2012; Regulation 46 of the Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2005; and Punjab State Electricity Regulations, 2011 and other applicable Regulations.

In the matter: Approval of the Power Purchase Agreement (PPAs) and Procurement Process of Punjab State Power Corporation Limited related to the procurement of power from the Non-Conventional Generating Stations.

AND

Punjab State Power Corporation Ltd., The Mall,
Patiala.

..Petitioner

Present: Ms. Kusumjit Sidhu, Chairperson
Ms. Anjuli Chandra, Member

ORDER:

1 Punjab State Power Corporation Limited (PSPCL) has filed the present petition for approval of the PPAs signed by PSPCL after 07.03.2005 for Procurement of electricity with a cumulative contracted capacity of 778.09 MW from 65 Non-Conventional generating stations (list attached at Annexure-1).

2. The petition was admitted vide Order dated 29.06.2020. Vide order dated 10.07.2020, PSPCL was directed to submit detailed information/data of all 65 generating stations. PSPCL, vide memo no. 5460 dated 24.07.2020, in response to the Order dated 10.07.2020, filed the same through an additional affidavit. The petition was taken up for hearing on 29.07.2020, wherein the Commission sought clarification in respect of the individual tariff for thermal and solar power supplied as bundled power and the overall tariff for the same to PSPCL alongwith the basis for allocation/ allotment of power from / by NVVN. PSPCL was directed, vide order dated 04.08.2020, to provide the same along with justification for entering into the PPAs with NVVN and SECI by 15.08.2020. PSPCL submitted an additional affidavit vide memo no. 5588 dated 17.08.2020. However, justification for entering into the PPAs with respect to the quantum of power for each PPA alongwith reasonability of the tariff as required by the Commission was not provided by PSPCL. During hearing on 26.08.2020 and vide Order dated 31.08.2020, PSPCL was again asked to provide the justification for each PPA within a week. PSPCL submitted the information in an affidavit vide memo no. 5954 dated 09.10.2020. The petition was taken up for hearing on 14.10.2020 and after hearing the counsel for PSPCL, the Order was reserved.

3. **PSPCL's Submissions**

PSPCL submitted that it has been procuring power from various sources to meet the power supply requirements for maintaining the distribution and retail supply of electricity in the State of Punjab. This petition has been filed under Section 86(1)(b) of the Electricity Act,

2003 read with other applicable provisions for approval of the power procurement from various non-conventional generating stations. In terms of Section 86(1)(b) of the Electricity Act 2003, the Commission has the jurisdiction to regulate the electricity purchase and procurement process of the distribution licensee(s) in the State under the PPAs/agreements entered into by the distribution licensees.

In so far as renewable energy sources are concerned, the object and directive under the Act is to promote the same including by providing preferential tariff for purchase of RE power by the obligated entities. PSPCL in the State of Punjab is the principal obligated entity to procure power from renewable energy sources. The provisions of Section 86(1)(e) of the Act dealing with renewable purchase obligation (RPO) provide for a minimum percentage of renewable energy to be purchased.

The Commission notified the Punjab State Electricity Regulatory Commission (Renewable Purchase Obligation and its compliance) Regulations, 2011, amending the same from time to time and taking cognizance of the RPO compliance by PSPCL on an annual basis. The Commission allowed the shortfall in non-solar RPO compliance to be carry forward for FY 2015-16 to FY 2016-17 and for FY 2016-17 to FY 2017-18 vide Order dated 21.03.2017 in Petition No. 61 of 2016 and Order dated 16.03.2018 in Petition No. 51 of 2017 respectively. Vide Order dated 21.12.2018 in Petition No. 34 of 2018, the Commission imposed a penalty of Rs. 1,00,000/- on PSPCL for shortfall in the compliance and directed PSPCL to comply with the RPO for FY 2018-19 (both solar and non-solar) alongwith the

shortfall of FY 2017-18. In the tariff Order dated 27.05.2019 for FY 2019-20, the Commission had levied an additional penalty of Rs. 10,00,000/- for the cumulative shortfall in the RPO and directed PSPCL to comply with the net shortfall within a period of 60 days.

PSPCL has been procuring power from various non-conventional sources of energy such as mini hydro, biomass, waste to energy, solar/wind, bagasee. The present petition has been filed in respect of Non-conventional generating stations for which PPAs were entered during the period after 07.03.2005 i.e. when the PSERC (Conduct of Business) Regulations came into force. The procurement of power from the generating stations has been mentioned in the tariff petitions filed by PSPCL on a year to year basis in regard to the quantum of power to be procured which was approved by the Commission from time to time. The capacity contracted with the Non-conventional generating stations is within the RPO percentage as prescribed by the Commission from time to time. There has been a shortfall in complying with the RPO obligations due to various reasons beyond the control of PSPCL. The tariff applicable in the respective PPAs is in terms of the rate prevalent at the relevant time. PSPCL prayed to:

a) Declare that the PPAs and procurement of electricity from the 65 generating stations with a cumulative contracted capacity of 778.09 MW stands approved in the facts and circumstances mentioned hereinabove on the tariff terms and conditions contained in the respective PPAs;

b) Grant liberty to PSPCL to approach the Commission in regard to the generating projects which are yet to be commissioned at the time of determination of the tariff by the Central Commission under section 79 (1) (a) or (b) of the Electricity Act, 2003.

In response to the Commission's Order dated 10.07.2020, PSPCL submitted the information/data of all the 65 generating stations including the details of the PPAs entered into alongwith the date of signing of the PPA, tariff provision in the PPA, period of validity, applicable tariff alongwith the basis thereof and the status of the projects.

Further, PSPCL vide affidavit dated 17.08.2020 submitted the justification for entering into the PPAs with NVVN and SECI in response to the clarifications/justification sought by the Commission during the hearing held on 29.07.2020 in respect of the individual tariffs for thermal and solar power supplied as bundled power and the overall tariff for the same to PSPCL along with the basis for allocation/allotment of power from/by NVVN. PSPCL submitted that it had entered into the PSAs dated 14.10.2010 and 14.01.2011 with NVVN for sale of 4 MW bundled power (2MW solar + 2MW coal) and 70 MW bundled power (35MW solar+35MW coal) pursuant to the Guidelines for selection of New Grid connected Solar Power Projects issued by MNRE. PSPCL further submitted that it had offered the expression of interest to NVVN for purchase of 35 MW of Solar Power in December, 2010 in order to fulfill its RPO Obligation. The Commission was informed that the bundled tariff is being billed and released as per the PSA, as per the bidding documents notified by

the Central Government. The tariff mechanism for payment by PSPCL under the scheme is detailed below:

- i) Solar units of particular month : A1
 ii) Solar weighted avg. tariff of particular month : B1
 iii) Coal units of particular month : A2
 iv) Coal weighted avg. tariff of particular month : B2
 v) Tariff for bundled power : $\frac{A1 \times B1 + A2 \times B2}{(A1 + A2)}$

PSPCL submitted that there is no fixed tariff under the bundling scheme since the same varies from month to month owing to changes in the cost of thermal component, since the fuel cost of the NTPC generating stations varies on a monthly basis. Similarly, since the solar tariff charged, is the weighted average of the power being procured from 70 different developers, the same also varies on a monthly basis. The range of bundled tariff, at different instances, is as under:

Month/year	Weighted average tariff of coal component	Weighted average tariff of solar component	Weighted average tariff for bundled power
March, 2014	3.06	10.67	4.87
March, 2017	2.75	10.86	4.55
March, 2020	2.94	10.85	4.62
June, 2020	3.02	10.72	4.87

PSPCL submitted that in terms of the notifications issued by CERC for RPO compliance, the targets under Jawaharlal Nehru Scheme (phase-I) for solar power were fixed at 0.25% of annual energy consumption. The rates prevailing at that time for purchase of RECs were in the range of Rs. 12.0 to Rs. 17.0 per unit. The Commission has fixed the generic tariff of Rs. 17.91 per unit for solar PV Projects commissioned during FY 2010-11 and FY 2011-12 vide Order dated 07.07.2010. In view of the obligation to comply with the RPO and the economical price of the bundled power in the range of

Rs. 4.34 to Rs. 4.74 per unit, the PSAs for purchase of bundled power were signed with NVVN. PSPCL further submitted that it had entered into a PSA dated 31.03.2015 with SECI for procurement of 30 MW of solar power, pursuant to the Guidelines issued by MoP for implementation of Jawaharlal Nehru National Solar Mission Batch-I, Phase-II, Scheme for Setting up of 750 MW Grid connected Solar PV Power Projects. The Commission vide Order dated 25.06.2013 had fixed the generic tariff for solar projects @ Rs. 8.75 per unit for FY 2013-14. Further, the Commission fixed the RPO compliance for FY 2014-15 vide Notification dated 03.06.2011 at 0.19% of annual energy consumption. The rates prevailing in FY 2014-15, for purchase of RECs in case of shortfall from targeted RPO were in the range of Rs. 9.0 to Rs. 13.0 per unit. So in view of RPO compliance and low price of solar power @ Rs. 5.50 per unit offered by SECI, the PSA for purchase of solar power was signed with SECI.

In response to the Commission's Order dated 31.08.2020 to submit the justification for entering into the PPAs with respect to the quantum of power for each PPA along with the reasonability of the tariff, PSPCL filed submissions vide additional affidavit dated 09.10.2020. In the affidavit, PSPCL submitted that the Commission vide Order dated 08.04.2003 in petition no. 24 of 2002 while giving full effect to the Govt. of Punjab NRSE Policy, 2001 permitted PSPCL to buy power from renewable developers at the rate determined under the said Policy. Further, the Commission vide Order dated 13.12.2007 while implementing of NRSE Policy, 2006, specified the minimum percentage of NRSE power to be procured by PSPCL for FY 2007-08 to FY 2011-12. PSPCL has submitted the following

statement of the RPO specified and the extent to which it has been met by it or the shortfall in respect thereof on the true up data upto FY 2018-19 and the estimated/projected data for FY 2019-20 as per the tariff order dated 01.06.2020 for determination of tariff for FY 2020-21:

FY	RPO Target (MUs)		RPO Shortfall (MUs)		Expected Generation from RE Projects (MUs)		Remarks
	Solar	Non-Solar	Solar	Non-Solar	Solar	Non-Solar	
2005-06	--	--	--	--	0	5.256	Power was required for the State
2008-09	316.73		285.5882		0	31.1418	As per PSERC Order dated 13.12.2007 percentage of NRSE power (target) for FY 2008-09 has been taken as 1% of energy sales in FY 2008-09 trued up in the tariff order for FY 2010-11
2009-10	628.5		359.4366		0	269.063	As per PSERC Order dated 13.12.2007 percentage of NRSE power (Target) for FY 2009-10 has been taken as 2% of Energy Sales in FY 2009-10 trued up in the tariff order for FY 2011-12
2010-11	987.33		796.4496		134.816	56.064	As per PSERC Order dated 13.12.2007 percentage of NRSE power (Target) for FY 2010-11 has been taken as 3% of Energy Sales in FY 2010-11 trued up in the tariff order for FY 2014-15

2011-12	12.46	984.26	-8.38	-244.235	0	159.432	RPO Target and Shortfall has been taken as per figures approved by Commission in its Order dated 04.09.2019 in Petition No. 06 of 2019
2012-13	30.48	1232.41	-26.62	-60.345	0	478.997	RPO Target and Shortfall has been taken as per figures approved by Commission in its Order dated 04.09.2019 in Petition No. 06 of 2019
2014-15	86.83	1741.25	-8.22	-668.734	49.932	119.881	RPO Target and Shortfall has been taken as per figures approved by Commission in its Order dated 04.09.2019 in Petition No. 06 of 2019
2015-16	468.46	1826.99	-84.773	-1404.492	0	9.3294	RPO Target and Shortfall has been taken as per figures approved by Commission in its Order dated 04.09.2019 in Petition No. 06 of 2019
2016-17	485.78	2046.83	0	-1763.607	0	147.431	RPO Target and Shortfall has been taken as per figures approved by Commission in its Order dated 04.09.2019 in Petition No. 06 of 2019
2017-18	684.6	2192.65	0	-765.341	0	1417.37	RPO Target and Shortfall has been taken as per figures approved by Commission in its Order dated 27.05.2019 in Petition No. 02 of 2019 (Determination of Tariff for FY 2019-20)

2018-19	872.02	2295.84	12.54	0	0	39.6495	RPO Target and Shortfall has been taken as per figures approved by Commission in its Order dated 01.06.2020 in Petition No. 30 of 2019 (Determination of Tariff for FY 2020-21)
2019-20	1608.02	2211.03	-50.45	-417.11	0	81.906	True up for 2019-20 is pending therefore RPO Target and Shortfall has been taken as per figures approved by Commission in its Order dated 01.06.2020 in Petition no. 30 of 2019 (Determination of Tariff for FY 2020-21).

PSPCL further submitted that the Commission vide Order dated 04.09.2019 in petition no. 06 of 2019 had considered the RPO data submitted by it from FY 2011-12 to FY 2017-18 and concluded that the net shortfall in non-solar RPO after adjusting the excess solar against non-solar at the end of FY 2017-18 was 824.962 MUs (instead of 931.08 MUs).

4. Observation and Decision of the Commission

The Commission has carefully gone through the petition and the submissions/affidavits filed by PSPCL. The analysis and decision of the Commission is as under:

I. As per submissions made by PSPCL, the following PPAs/PSAs were signed by it with NRSE/RE project developers

on the tariffs determined by the Commission in the respective Orders of the various petitions as here under:

S. No.	NRSE/RE developer	Date of signing of the PPA	Date of Commissioning	Petition No.	Date of Commission's Order
SMALL HYDRO POWER PROJECTS					
1.	Aqua Power Ltd.,Lohgarh, Sangrur (2MW)	10.03.2005	27.09.2005	24 of 2002	08.04.2003
2.	Abohar Power Generation Pvt. Ltd.,Sudhar, Ludhiana (1.25MW)	20.11.2008	03.05.2010	43 of 2007	19.12.2007
3.	Abohar Power Generation Pvt. Ltd.,Channuwal, Moga (0.9MW)	20.11.2008	30.09.2009	44 of 2007	19.12.2007
4.	Abohar Power Generation Pvt. Ltd.,Khanpur, Ludhiana (1.05MW)	20.11.2008	22.04.2010	46 of 2007	19.12.2007
5.	Abohar Power Generation Pvt. Ltd.,Gholia, Moga (0.9MW)	20.11.2008	04.10.2009	47 of 2007	19.12.2007
6.	Abohar Power Generation Pvt. Ltd., Akhara, Ludhiana (1.1 MW)	20.11.2008	25.03.2010	50 of 2007	19.12.2007
7.	Gill Acqua Hydro Power Generation Co. Pvt. Ltd., Madhopur, Gurdaspur (3.8 MW)	04.06.2009 03.01.2017 (amendment-1)	11.01.2017	51 of 2015	22.01.2016
8.	Gill Acqua Hydro Power generation Co. Pvt. Ltd., Madhopur (6 MW)	20.11.2008	23.10.2016	52 of 2015	22.01.2016
9.	Paradise Power Generation Pvt. Ltd., Smalsar, Moga (0.35 MW)	05.03.2009	Project yet to be commissioned	42 of 2007	19.12.2007
BIOMASS BASED POWER PROJECTS					
10.	Universal Biomass Energy Pvt. Ltd., Channu, Muksar (14.5MW)	02.06.2009 26.02.2011 (amendment-1) 10.06.2011 (amendment-2)	30.10.2009	11 of 2009	26.11.2010
11.	Dee Development Engineers Pvt. Ltd., Ferozepur (8MW)	04.03.2011 10.06.2011 (amendment-1)	05.02.2009	27 of 2010	16.12.2010

12.	A2Z Maintenance & Engineering Services Ltd., Nakodar (15 MW)	25.08.2011	07.12.2011	62 of 2011	15.03.2012
13.	Sukhbir Agro Energy Ltd., Ferozepur (18 MW)	02.01.2018	10.12.2019	53 of 2016	06.12.2016
14.	Sukhbir Agro Energy Ltd., Faridkot (18 MW)	02.01.2018	11.12.2019	53 of 2016	06.12.2016
15.	Green Planet Energy Ltd., Vill. Manuke Gill, Moga (6 MW)	14.10.2009	11.08.2019	01 of 2020	15.09.2020
BIOGAS POWER PROJECTS					
16.	Green Planet Energy Pvt. Ltd., Binjon, Hoshiarpur (4 MW)	14.10.2009 24.12.2019 (amendment-2)	17.08.2018	39 of 2018	05.03.2019
NON-FOSSIL FUEL BASED CO-GENERATION PROJECTS (BAGASSE/BIOMASS)					
17.	A.B. Grain & Spirits Pvt. Ltd., Kiri Afgana, Gurdaspur. (Biomass) (Proj.Cap. 5.5 MW) (Contr. Cap. 3 MW)	25.04.2011 22.03.2013 (amendment-1)	08.04.2008	44 of 2011	19.09.2012 & 07.10.2014 (on remand by Hon'ble APTEL)
18.	Rana Sugars Ltd. Butter Sevan, Amritsar (Bagasse) (Proj. Cap. 34MW) (Contr. Cap. 20 MW)	04.12.2012	05.12.2007	52 of 2012	30.11.2012
19.	A.B. Sugars Ltd., Randhawa, Hoshiarpur (Bagasse) (Proj. Cap. 23 MW) (Contr. Cap. 20 MW)	04.12.2012	31.10.2007	53 of 2012	30.11.2012
20.	Chandigarh Distillers & Bottlers Ltd., Banur, Mohali (Biomass) (Proj. Cap. 8.25 MW) (Contr. Cap. 5 MW)	22.03.2013	18.08.2007	64 of 2012	28.02.2013
21.	Lakshmi Energy & foods Ltd.,Khamano, Fatehgarh Sahib (Biomass) (Proj. Cap. 31.5 MW) (Contr. Cap. 24 MW)	25.03.2013	15.02.2009	69 of 2012	28.02.2013
22.	Wahid Sandhar Sugars Ltd., Phagwara (Bagasse) (Proj. Cap. 12 MW)	28.03.2013	15.04.2009	72 of 2012	28.02.2013

	(Contr. Cap. 7 MW)				
23.	Indian Sucrose Ltd., Mukerian, Hoshiarpur (Bagasse) (Proj. Cap. 12 MW) (Contr. Cap. 6 MW)	27.06.2014	05.12.2012	48 of 2013	24.03.2014

As the above listed petitions already stand decided by the Commission in the respective Orders mentioned against each, no further approval of the Commission is required for 185.85 MW capacity pertaining to the same.

PSPCL has mentioned that some of these cases are under appeal. Since no stay has been mentioned, these approvals stand, subject to the final orders of the Hon'ble Appellate Tribunal or Hon'ble Supreme Court.

As regards the PPA signed by PSPCL with Lakshmi Energy & Foods Ltd. listed at S. No. 21 above, PSPCL has informed that the company is not supplying energy to PSPCL since 04.10.2019. Notice of termination was issued as per clause 13.1.0 (c) of the PPA and NCLT has appointed a Resolution Professional vide Order dated 27.02.2020, it is brought out that the details of the case have neither been brought to the notice of the Commission earlier nor now. The Commission is of the view that the said pending adjudication in NCLT would not affect the decision of the Commission with regard to the approved tariff for the project.

II. It is brought out that PSPCL has in this petition submitted information with respect to 65 projects for approval of tariff and quantum of power by the Commission. The PPA of Green Planet Energy Pvt. Ltd. dated 14.10.2009 covers two project

technologies i.e. 4 MW Biogas (Otto cycle) and 6 MW Biomass (Rankine cycle), which have been brought before the Commission for approval in two separate petitions. The 4 MW Biogas Project stands already approved in an Order of the Commission dated 05.03.2019 in petition no. 39 of 2018, listed at S. No. 16 of the list of 23 such projects brought out in the foregoing paras. The other 6 MW biomass project of the developer has been dealt hereunder at S. No. 1 of the 43 projects dealt with above. Thus, the total number of projects dealt by the Commission comes to 66 projects.

As per the submissions made by PSPCL, the said 43 PPAs/PSAs were signed with the NRSE/RE developers on the generic tariffs determined by the Commission in various petitions or on the tariffs discovered through bidding on the basis of discount offered on the generic tariff or otherwise or through negotiation. These are discussed in detail in the forthcoming paras.

The Commission notes that as per submissions made by PSPCL, the availability of power to PSPCL from renewable sources of energy has been less than that required for meeting the RPO compliance over the last many years. The RPO was specified for FY 2007-08 to FY 2011-12 in the Commission's Order dated 13.12.2007 and the Commission's RPO Regulations came up in 2011. In addition to the long term procurement of power from renewable sources of energy, PSPCL has been purchasing short term renewable power on year to year basis

through tendering process for RPO compliance. At times, PSPCL has also been purchasing RECs from the Power Exchanges to meet with the shortfall in RPO compliance during these years. Recently, PSPCL purchased RECs worth Rs. 85 crore in FY 2019-20 for RPO compliance. Despite the above, PSPCL has been filing petitions every year praying to the Commission for allowing carry forward of the shortfall in RPO compliance since FY 2011-12, which were considered and allowed where justified, by the Commission.

The Commission has also in some instances imposed penalties on PSPCL for non compliance of the Orders of the Commission by PSPCL with regard to the RPO compliance. The Commission vide Order dated 21.12.2018 in petition no. 34 of 2018 imposed a penalty of Rs. 1,00,000/- for not complying with the Order dated 16.03.2018 in petition no. 51 of 2017 filed by PSPCL for carry forward of RPO compliance from FY 2016-17 to FY 2017-18. In the Tariff Order dated 27.05.2019 in the true-up of FY 2017-18, the Commission further imposed a penalty of Rs. 10 lakh for not complying with the Order dated 21.12.2018.

Considering the discussion in the foregoing paras, the Commission is of the opinion that in so far as the need/ requirement of procurement of power from NRSE/RE sources from the PPAs/PSAs listed herein below is concerned, the same is well established. The Commission's analysis and decision on the tariffs mentioned against the respective projects PPAs/PSAs is given hereafter:

S. No.	Generating station	Date of signing of the PPA/PSA	COD	Commission's Order for generic tariff/ Provision in PPA/PSA		Tariff as on COD (Rs/kWh)	Tariff FY 2020-21 (Rs/kWh)
				Petition No./ Date of Order	Tariff (Rs./kWh)		
BIOMASS BASED POWER PROJECTS							
1.	Green Planet Energy Pvt. Ltd, Vill. Binjon, Hoshiarpur (6 MW)	14.10.2009 27.07.2012 (amendment-1)	10.05.2012	35 of 2012 dated 19.07.2012 (generic tariff for FY 2012-13)	5.83 [FC: Rs. 2.12/kWh and VC: Rs. 3.71/kWh (with 5% normative annual escalation)]	5.83	7.60099
<p>In clause 2.1.1 (i) of the PPA signed on 14.10.2009, the tariff is mentioned as Rs. 3.84/kWh (for FY 2008-09) with 5% escalation upto FY 2011-12 and thereafter no escalation, as per PSERC Order dated 13.12.2007. Later, in compliance of Commission's Order dated 13.01.2011, an Amendment No. 1 dated 27.07.2012 was signed between the parties, wherein as per the generic tariff for FY 2012-13, the tariff of Rs. 5.83/kWh i.e. FC: Rs. 2.12/kWh and VC: Rs. 3.71/kWh (with 5% normative annual escalation) was agreed upon, effective from the date of commencement of commercial operation of the project. The project was commissioned on 10.05.2012 i.e. FY 2012-13.</p> <p>Accordingly, the VC for FY 2020-21 works out to Rs. 5.48136/kWh and the total tariff works out as Rs. 7.60136/kWh. Considering the same, the Commission finds the tariff of Rs. 7.60099/kWh for FY 2020-21 as intimated by PSPCL justified and hence approves the same.</p>							
2.	Green Planet Energy Pvt. Ltd., Vill. Birpind, Jalandhar (6 MW)	14.10.2009 05.08.2014 (amendment-1)	14.05.2013	37 of 2013 dated 25.06.2013 (generic tariff for FY 2013-14)	6.24 [FC: Rs. 2.27/kWh and VC: Rs. 3.97/kWh (with 5% normative annual escalation)]	6.24	7.85615
<p>In clause 2.1.1 (i) of the PPA signed on 14.10.2009, the tariff is mentioned as Rs. 3.84/kWh (for FY 2008-09) with 5% escalation upto FY 2011-12 and thereafter no escalation, as per PSERC Order dated 13.12.2007. Later, in compliance of Commission's Order dated 13.01.2011, an Amendment No. 1 dated 05.08.2014 was signed between the parties, wherein as per the generic tariff for FY 2013-14, the tariff of Rs. 6.24/kWh i.e. FC: Rs. 2.27/kWh and VC: Rs. 3.97/kWh (with 5% normative annual escalation) was agreed upon, effective from the date of commencement of commercial operation of the project. The project was commissioned on 14.05.2013 i.e. FY 2013-14.</p> <p>Accordingly, the VC for FY 2020-21 works out to Rs. 5.58619/kWh and the total tariff works out as Rs. 7.85619/kWh. Considering the same, the Commission finds the tariff of Rs. 7.85615/kWh for FY 2020-21 as intimated by PSPCL justified and hence approves the same.</p>							
3.	Viaton Energy Pvt. Ltd., Vill Khokar	04.04.2011 04.08.2014 (amendment-1)	08.07.2013	37 of 2013 dated 25.06.2013 (generic tariff)	6.24 [FC: Rs. 2.27/kWh and VC: Rs. 3.97/kWh]	6.24	7.8561

	Khurd, Mansa (10 MW)			for FY 2013- 14)	(with 5% normative annual escalation)]		
<p>In clause 2.1.1 (i) of the PPA signed on 04.04.2011, the tariff is mentioned as Rs. 5.05/kWh i.e. FC: Rs. 1.92/kWh and VC: Rs. 3.13/kWh (with 5% normative annual escalation) for the projects commissioned during FY 2010-11 as per PSERC Order dated 30.09.2010 in petition no. 32 of 2010. The PPA further provides that the company shall be eligible for getting the applicable tariff for the project commissioning year as per further tariff Orders notified by PSERC. The project was commissioned on 08.07.2013 (FY 2013-14). An Amendment no. 1 dated 04.08.2014 was signed wherein as per the generic tariff for FY 2013-14, the tariff of Rs. 6.24/kWh i.e. FC: Rs. 2.27/kWh and VC: Rs. 3.97/kWh (with 5% normative annual escalation) was agreed upon, effective from the date of commencement of commercial operation of the project.</p> <p>Accordingly, the VC for FY 2020-21 works out to Rs. 5.58619/kWh and the total tariff works out as Rs. 7.85619/kWh. Considering the same, the Commission finds the tariff of Rs. 7.8561/kWh for FY 2020-21 as intimated by PSPCL justified and hence approves the same. As regards CWP No. 24143 of 2019 filed by M/s Viaton Energy Pvt. Ltd. before Hon'ble High Court of Punjab and Haryana to waive the energy share of PEDDA, the Commission is of the opinion that the said pending litigation does not affect the determination/approval of tariff by PSERC.</p>							
4.	PSPCL's own Rice straw Biomass power plant outsourced to M/s Sukhbir Agro Energy Ltd., Vill.Jalkheri, Fatehgarh Sahib (10 MW)	22.05.2019	SCOD: 15.07.2021	55 of 2016 dated 23.11.2016 (generic tariff: Rs. 8.16/kWh; FC: 3.28; VC: 4.88 for FY 2016- 17)	5.84 [FC: Rs. 2.34/kWh; VC: Rs. 3.50/kWh with 5% annual escalation)]	Project yet to be commissioned	
<p>PSPCL has intimated that the project was allotted on the basis of reverse auction through competitive bidding process. The bid was evaluated based on the lowest tariff rate in the reverse auction on the generic tariff of Rs. 8.16/kWh (FC: Rs. 3.28/kWh; VC: Rs. 4.88/kWh) for FY 2016-17 quoted by the company as Rs. 5.84/kWh [FC: Rs. 2.34/kWh; VC: Rs. 3.50/kWh (with 5% annual escalation)]. The same tariff is mentioned in clause 2.1.1 (i) of the PPA, which will be valid for a period of one year after commissioning.</p> <p>The Commission approves the said tariff, the same having been discovered through competitive bidding.</p>							

BIOGAS POWER PROJECTS							
5.	Sampurans AgriVentures Pvt. Ltd, Vill. Painchawali, Fazilka (0.7 MW)	07.04.2014	25.04.2015	37 of 2013 dated 25.06.2013 (generic tariff for FY 2013-14)	6.91 [FC: Rs. 3.30/kWh and VC: Rs. 3.61/kWh (with 5% normative annual escalation)]	6.91	8.78451
<p>In clause 2.1.1 (i) of the PPA signed on 07.04.2014, the tariff is mentioned as Rs. 6.91/kWh i.e. FC: Rs. 3.30/kWh and VC: Rs. 3.61/kWh (with 5% normative annual escalation) for the projects commissioned during FY 2013-14 as per PSERC Order dated 25.06.2013 in petition no. 37 of 2013. The PPA further provided that the company shall be eligible for getting the applicable tariff for the project commissioning year as per further tariff Orders notified by PSERC. The project was commissioned on 25.04.2015 i.e. FY 2015-16. PSPCL has intimated the tariff of Rs. 8.78451/kWh.</p> <p>As per Commission's calculations, the VC (Rs. 4.29/kWh) of the generic tariff of the year of commissioning i.e. FY 2015-16 is escalated at 5% per annum for five years i.e. upto FY 2020-21, works out to Rs. 5.47525/kWh. This is added to the FC of Rs. 3.30/kWh (FY 2013-14) i.e. Rs. 8.77525/kWh (FY 2020-21), which the Commission approves.</p>							
6.	Hargobind Bio Energy, Vill. Dakounda, Patiala (0.5 MW)	07.01.2016	08.03.2017 (SCOD: 06.01.2017)	55 of 2016 dated 23.11.2016 (generic tariff for FY 2016-17)	7.68 [FC: Rs. 3.59/ kWh and VC: Rs. 4.09/kWh (with 5% normative annual escalation)]	7.68	8.56133
<p>In clause 2.1.1 (i) of the PPA signed on 07.01.2016, the tariff applicable is the tariff declared by PSERC for biogas based power projects for the scheduled commissioning year of the project. It is further mentioned in the PPA that the developer has been allowed a period of 365 days from the date of signing of PPA for the commissioning of the project.</p> <p>Accordingly, the generic tariff for FY 2016-17 was applicable i.e. Rs. 7.68/kWh [FC: Rs. 3.59/kWh and VC: Rs. 4.09/kWh (with 5% normative annual escalation)]. The project was commissioned on 08.03.2017 (FY 2016-17).</p> <p>The tariff works out to Rs. 8.56142/kWh [FC: Rs. 3.59/kWh and VC: Rs. 4.97142/kWh) for FY 2020-21. Accordingly the Commission finds the tariff of Rs. 8.56133/kWh for FY 2020-21 as intimated by PSPCL, as justified and approves the same.</p>							
7.	SAB Industries Ltd, Moonak, Sangrur (1.5 MW)	17.05.2019	SCOD: 12.02.2021	-	-	Project yet to be commissioned	7.05

PSPCL has intimated that the project has been selected by PEDA under Self Identified Scheme of NRSE Policy, 2012 with Rs. 7.05/kWh single part tariff without any escalation for the entire useful life (mentioned as 20 years) of the project. The same is mentioned in clause 2.1.1 (i) of the PPA signed on 17.05.2019. It is further mentioned in the PPA that in case the project is delayed beyond SCOD or any extension allowed by PEDA, the PPA shall stand terminated.

It is seen that the generic tariff for biogas projects for FY 2019-20 was Rs. 7.83/kWh i.e. FC: Rs. 3.43/kWh; VC: Rs. 4.40/kWh (with 5% normative annual escalation). For FY 2020-21 i.e. scheduled commissioning year of the project, the generic tariff for biogas projects is Rs. 8.16/kWh i.e. FC: Rs. 3.31/kWh; VC: Rs. 4.85/kWh (with 5% normative annual escalation).

The Commission notes that the project is scheduled for commissioning in FY 2020-21. In the Tariff Order for PSPCL dated 01.06.2020 for FY 2020-21 and ARR for 2nd MYT Control Period FY 2020-21 to FY 2022-23, there is a shortfall in non-solar RPO compliance of 509.40 MU for FY 2019-20. The same was allowed to be carry forward to FY 2020-21 in Order dated 17.07.2020 in petition no. 12 of 2020 due to Covid-19 pandemic. In the said Tariff Order, the non-solar RPO for FY 2020-21 and FY 2021-22 was projected to be surplus by 431 MU and 51 MU respectively. The surplus of FY 2020-21 and FY 2021-22 will more or less cover the carried forward shortfall of FY 2019-20. However, in FY 2022-23, the shortfall in non-solar RPO compliance is projected to be 768 MU.

Considering the same, the signing of the PPA at the said tariff rate appears to be justified and hence the Commission approves.

SMALL HYDRO PROJECTS

8.	Himalayan Renewable Energy Pvt. Ltd., Talewal (0.6 MW)	22.02.2010	31.12.2019	Order dated 13.12.2007 in the matter of implementation of NRSE Policy, 2006	3.81 (FY 2009-10) with 3% annual escalation upto FY 2011-12. Thereafter no escalation.	4.04	4.04
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As per PPA signed on 22.02.2010, the tariff is mentioned as Rs. 3.81/kWh (for FY 2009-10) with 3% escalation upto FY 2011-12 and thereafter no escalation, as per Order of PSERC dated 13.12.2007. The tariff works out to Rs. 4.042/kWh. PSPCL has intimated the tariff as Rs. 4.04/kWh for FY 2020-21, which the Commission approves.

9.	Atlantic Power Pvt. Ltd. Terkiana, Hoshiarpur (0.65 MW)	02.12.2009	31.08.2010	Order dated 13.12.2007 in the matter of implementation of NRSE Policy, 2006	3.81 (FY 2009-10) with 3% annual escalation upto FY 2011-12. Thereafter no escalation.	3.92	4.042
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As per PPA, the tariff mentioned is Rs. 3.81/kWh (for FY 2009-10) with 3% escalation upto FY 2011-12

and thereafter no escalation as per Order of PSERC dated 13.12.2007. The tariff works out to Rs. 4.042/kWh. PSPCL has intimated the same tariff i.e. Rs. 4.042/kWh for FY 2020-21, which the Commission approves.

As regards the pending appeal before Hon'ble APTEL against the Order of the Commission dated 26.05.2015 in Petition No. 51 of 2014, wherein the prayer of the petitioner for determination of tariff was not allowed, the Commission is of the opinion that the said pending litigation does not affect the determination/approval of tariff by PSERC.

10.	Sam India Hydro Power Pvt. Ltd., Bowani (2 x 0.6 MW)	03.11.2011	17.03.2013 (SCOD: 24.11.2012 as intimated by PSPCL)	35 of 2012 dated 19.07.2012 (generic tariff for FY 2012-13)	4.88	4.88	4.88
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As per PPA signed on 03.11.2011, the tariff is mentioned as Rs. 4.26/kWh for the small hydro projects below 5 MW commissioned during FY 2010-11, as per generic Tariff Order for FY 2010-11 dated 30.09.2010 in Petition No. 32 of 2010 (suo-motu). It is further mentioned in the PPA that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff orders notified by PSERC. The tariff is to remain constant throughout the tariff period.

The project was commissioned on 17.03.2013 (FY 2012-13), which is the same as the year of SCOD. The generic tariff for FY 2012-13 as per Commission's Order dated 19.07.2012 in Petition No. 35 of 2012 (suo-motu) was Rs. 4.88/kWh with no escalation, which is the same as intimated by PSPCL. Accordingly, the same is approved.

11.	Atlantic Power (Phoola) Pvt. Ltd., Bathinda (0.6 MW)	04.10.2011	23.06.2014 (SCOD: 25.11.2012 as intimated by PSPCL)	35 of 2012 dated 19.07.2012 (generic tariff for FY 2012-13)	4.88	4.88	4.88
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As per PPA signed on 04.10.2011, the tariff is mentioned as Rs. 4.26/kWh for the small hydro projects below 5 MW commissioned during FY 2010-11, as per generic Tariff Order for FY 2010-11 dated 30.09.2010 in Petition No. 32 of 2010 (suo-motu). It is further mentioned in the PPA that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff orders notified by PSERC. The tariff is to remain constant throughout the tariff period.

The project was commissioned on 23.06.2014 (FY 2014-15). The generic tariff for FY 2014-15 as per Commission's Order dated 05.09.2014 in Petition No. 42 of 2014 (suo-motu) was Rs. 5.25/kWh with no escalation. PSPCL has intimated the tariff of Rs. 4.88/kWh (generic tariff for FY 2012-13 applicable for the year of SCOD) as the tariff for the project as on the date of commissioning as well as for the current year i.e. FY 2020-21. The Commission approves the same.

12.	SKR Hydro Power Generators Pvt. Ltd., Bibiwal a, Bathinda (0.4 MW)	04.10.2011	11.04.2016 (SCOD: 31.10.2012 as intimated by PSPCL)	35 of 2012 dated 19.07.2012 (generic tariff for FY 2012-13)	4.88	4.88	4.88
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As per PPA signed on 04.10.2011, the tariff is mentioned as Rs. 4.26/kWh for the small hydro projects below 5 MW commissioned during FY 2010-11, as per generic Tariff Order for FY 2010-11 dated 30.09.2010 in Petition No. 32 of 2010 (suo-motu). It is further mentioned in the PPA that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff orders notified by PSERC. The tariff is to remain constant throughout the tariff period.

The project was commissioned on 11.04.2016 (FY 2016-17). The generic tariff for FY 2016-17 as per Commission's Order dated 23.11.2016 in Petition No. 55 of 2016 (suo-motu) was Rs. 5.54/kWh with no escalation. PSPCL has intimated the tariff of Rs. 4.88/kWh (generic tariff for FY 2012-13 applicable for the year of SCOD) as the tariff for the project as on the date of commissioning as well as for the current year i.e. FY 2020-21. The Commission approves the same.

13.	Majha Canal Hydro Projects, Udhanwal, Pathankot (0.65 MW)	22.10.2012	02.03.2018 (SCOD: 27.01.2014 as intimated by PSPCL)	37 of 2013 dated 25.06.2013 (generic tariff for FY 2013-14)	5.16	5.16	5.16
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As per PPA signed on 22.10.2012, the tariff is mentioned as Rs. 4.88/kWh for the small hydro projects below 5 MW commissioned during FY 2012-13, as per generic Tariff Order for FY 2012-13 dated 19.07.2012 in Petition No. 35 of 2012 (suo-motu). It is further mentioned in the PPA that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff order notified by PSERC. The tariff is to remain constant throughout the tariff period.

The project was commissioned on 02.03.2018 (FY 2017-18). The generic tariff for FY 2017-18 as per Commission's Order dated 31.10.2017 in Petition No. 50 of 2017 (suo-motu) was Rs. 6.00/kWh with no escalation. PSPCL has intimated the tariff of Rs. 5.16/kWh (generic tariff for FY 2013-14 applicable for the year of SCOD) as the tariff for the project as on the date of commissioning as well as for the current year i.e. FY 2020-21. The Commission approves the same.

14.	Sidhwan Hydro Power Pvt. Ltd., Ludhiana (0.7 MW)	16.11.2012	11.05.2014 (SCOD: 28.02.2014)	37 of 2013 dated 25.06.2013 (generic tariff for FY 2013-14)	5.16	5.16	5.16
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As per PPA signed on 16.11.2012, the tariff is mentioned as Rs. 4.88/kWh for small hydro projects below 5 MW commissioned during FY 2012-13, as per generic Tariff Order for FY 2012-13 dated 19.07.2012 in petition no. 35 of 2012 (suo-motu). It is further mentioned in the PPA that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff order notified by PSERC. The tariff is to remain constant throughout the tariff period following the year of commissioning.

The project was commissioned on 11.05.2014 (FY 2014-15). The generic tariff for FY 2014-15 as per Commission's Order dated 05.09.2014 in Petition No. 42 of 2014 (suo-motu) was Rs. 5.25/kWh with no escalation. PSPCL has intimated the tariff of Rs. 5.16/kWh (generic tariff for FY 2013-14 applicable for the year of SCOD) as the tariff for the project as on the date of commissioning as well as for the current year i.e. FY 2020-21. The Commission approves the same.

15.	UBDC Hydro Company, Kunjar, Gurdaspur (2 MW)	19.11.2012	23.06.2017 (SCOD: 19.02.2014)	37 of 2013 dated 25.06.2013 (generic tariff for FY 2013-14)	5.16	5.16	5.16
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As per PPA signed on 19.11.2012, the tariff is mentioned as Rs. 4.88/kWh for small hydro projects below 5 MW commissioned during FY 2012-13, as per generic Tariff Order for FY 2012-13 dated 19.07.2012 in petition no. 35 of 2012 (suo-motu). It is further mentioned in the PPA that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff order notified by PSERC. The tariff is to remain constant throughout the tariff period following the year of commissioning.

The project was commissioned on 23.06.2017 (FY 2017-18). The generic tariff for FY 2017-18 as per Commission's Order dated 31.10.2017 in Petition No. 50 of 2017 (suo-motu) was Rs. 6.00/kWh with no escalation. PSPCL has intimated the tariff of Rs. 5.16/kWh (generic tariff for FY 2013-14 applicable for the year of SCOD) as the tariff for the project as on the date of commissioning as well as for the current year i.e. FY 2020-21. The Commission approves the same.

16.	P & R Gurdittwala Hydro Power Pvt. Ltd., Ferozepur (2 MW)	16.05.2014	08.03.2018 (SCOD: 15.02.2016)	Selected by PEDDA through competitive bidding process based on discount of Rs. 0.87/kWh on generic tariff of Rs. 5.47/kWh for FY 2015-16 determined by PSERC vide Order dated 24.07.2015 in petition no. 43 of 2015	4.60 (Rs. 5.47/kWh - ADB (Nil) - Discount Rs. 0.87/kWh)	4.60	4.60
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As per PPA signed on 16.05.2014, the tariff is mentioned as Rs. 3.87/kWh (Benchmark tariff of Rs. 4.74/kWh for FY 2013-14 (being tariff with Accelerated Rate of Depreciation) less discount of Rs. 0.87/kWh) and evaluated as lowest bidder. The PPA further provides that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff orders notified by PSERC (net applicable tariff rate upon adjusting for Accelerated Depreciation Benefit (ADB) - Discount Rs. 0.87/kWh). The tariff shall remain constant throughout the tariff period following the year of commissioning.

The Commission notes that the SCOD of the Project was 15.02.2016 (FY 2015-16), however the project has been actually commissioned on 08.03.2018 (FY 2017-18). The generic tariff for FY 2017-18 as per Commission's Order dated 31.10.2017 in Petition No. 50 of 2017 (suo-motu) was Rs. 6.00/kWh with no escalation. In its submissions, PSPCL has intimated the tariff as Rs. 4.60/kWh (net) for FY 2020-21 [i.e.

Rs. 5.47/kWh generic tariff for FY 2015-16 for small hydro projects below 5 MW determined by the Commission vide Order dated 24.07.2015 in petition no. 43 of 2015) - ADB (Nil) - Discount Rs. 0.87/kWh].

Considering the above, the Commission finds the same as reasonable and hence approves.

17.	Atlantic Power Pvt.Ltd., Nakkian, Roopnagar (0.3 MW)	07.01.2016	19.02.2020 (SCOD: 23.09.2017)	50 of 2017 dated 31.10.2017 (generic tariff for FY 2017-18)	6.00	6.00	6.00
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As per PPA signed on 07.01.2016, the tariff declared by PSERC for small hydro projects below 5 MW for the year in which the scheduled date of commercial operation of the project falls will be applicable. The tariff is to remain constant throughout the PPA period.

The scheduled date of commissioning as intimated by PSPCL is 23.09.2017 (FY 2017-18). Therefore, the applicable tariff would be the generic tariff for FY 2017-18 which is Rs. 6.00/kWh as determined by the Commission in its Order dated 31.10.2017 in petition no. 50 of 2017 (suo-motu) and intimated by PSPCL. The Commission approves the same.

18.	Kotla Renewables Pvt. Ltd., Daudhar, Moga (1.5 MW)	16.12.2016	31.07.2018	Leased out by PSPCL on ROT basis through e-bidding based on generic tariff (Rs. 5.47/ kWh) determined by the Commission vide Order dated 24.07.2015 in petition no. 43 of 2015	2.86	2.86	2.86
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As per PPA signed on 16.12.2016, the net tariff as per the bid is Rs. 2.86/kWh. The project has been awarded to the company after evaluation, being the lowest bidder and leased out by PSPCL on ROT basis through e-bidding based on generic tariff (Rs. 5.47/kWh) for FY 2015-16, determined by the Commission in its Order dated 24.07.2015 in petition no. 43 of 2015 (suo-motu). As per PPA, this tariff shall remain constant throughout the tariff period following the year of commissioning.

The Commission approves the said tariff which has been discovered through competitive bidding.

19.	Kotla Renewables Pvt. Ltd., Nidampur, Sangrur (0.8 MW)	16.12.2016	10.10.2018	Leased out by PSPCL on ROT basis through e-bidding based on generic tariff (Rs. 5.47/ kWh) determined by the Commission vide Order dated 24.07.2015 in petition no. 43 of 2015	3.94	3.94	3.94
<p>As per PPA signed on 16.12.2016, the net tariff as per the bid is Rs. 3.94/kWh. The project has been awarded to the company after evaluation, being the lowest bidder and leased out by PSPCL on ROT basis through e-bidding based on generic tariff (Rs. 5.47/kWh) for FY 2015-16, as determined by the Commission in its Order dated 24.07.2015 in petition no. 43 of 2015 (suo-motu). As per PPA, this tariff shall remain constant throughout the tariff period following the year of commissioning.</p> <p>The Commission approves the said tariff which has been discovered through competitive bidding.</p>							
20.	Kotla Renewables Pvt. Ltd., Thuhi, Patiala (0.8 MW)	16.12.2016	06.08.2019	Leased out by PSPCL on ROT basis through e-bidding based on generic tariff (Rs. 5.47/ kWh) determined by the Commission vide Order dated 24.07.2015 in petition no. 43 of 2015	3.94	3.94	3.94
<p>As per PPA signed on 16.12.2016, the net tariff as per the bid is Rs. 3.94/kWh. The project has been awarded to the company after evaluation, being the lowest bidder and leased out by PSPCL on ROT basis through e-bidding based on generic tariff (Rs. 5.47/kWh) for FY 2015-16 as approved by the</p>							

Commission in its Order dated 24.07.2015 in petition no. 43 of 2015 (suo-motu). This tariff shall remain constant throughout the tariff period following the year of commissioning.

The Commission approves the said tariff which has been discovered through competitive bidding.

21.	DSL Power Pvt. Ltd., Ralla, Mansa (0.3 MW)	20.11.2008	SCOD: 12/2009	Order dated 13.12.2007 in the matter of implementation of NRSE Policy 2006	Rs. 3.70/kWh (FY 2008-09 with 3% annual esc. Upto FY 2011-12)	Project yet to be commissioned
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As per PPA signed on 20.11.2008, the applicable tariff is Rs. 3.70/kWh (for the year 2008-09) with 3% annual escalation up to 2011-12 and thereafter the last escalated tariff for the year 2011-12 shall remain in force during the remaining term of the PPA.

The Commission notes that the PPA was signed on 20.11.2008 and the SCOD was December, 2009. The project has not been commissioned. Considering that a period of 12 years has passed since the signing of the PPA and project has not been commissioned for the last 11 years approx., the Commission does not find it prudent to approve the tariff. PSPCL is directed to take further necessary action in terms of the PPA and inform the Commission of the outcome within a period of 60 days.

22.	Hydro Energy & Infrastructure, Bhikhi, Sangrur (0.25 MW)	03.02.2016	SCOD: 11.10.2017 (as intimated by PSPCL) PEDA granted extension in commissioning upto 12/2020	50 of 2017/ 31.10.2017 for generic tariff for FY 2017-18	6.00	Project yet to be commissioned
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As per PPA signed on 03.02.2016, the tariff will be the tariff declared by PSERC for small hydro projects below 5 MW for the year in which the scheduled date of the Commercial Operation of the project falls. The tariff shall remain constant throughout the tariff period following the year of commissioning.

The scheduled date of commercial operation (SCOD) for the Project as intimated by PSPCL was 11.10.2017 (FY 2017-18). PSPCL has intimated the tariff of project as Rs. 6.00/kWh which is the generic tariff for FY 2017-18 determined by the Commission in its Order dated 31.10.2017 in petition no. 50 of 2017 (suo-motu) for small hydro projects below 5 MW.

It is noted that the project is yet to be commissioned. PEDA has granted extension for commissioning of the project up to December, 2020. PSPCL has submitted that due to the delay in commissioning of the Project, PSPCL may negotiate the tariff with the company and thereafter Supplementary PPA shall be signed with the company at negotiated tariff, which shall also be got approved from the Commission.

Considering the above, the tariff for the project cannot be approved at present. The Commission has recently determined the generic tariff for Small Hydro Projects up to 5 MW for FY 2020-21 in its Order dated 18.09.2020 in petition no. 26 of 2020 (suo-motu) as Rs. 4.30/kWh. PSPCL is directed to file a

separate application on commissioning of the Project, for consideration of the Commission.						
23.	Dallanwala Non-conventional Power Generation Pvt. Ltd., Gujran, Sangrur (0.6MW)	16.11.2012	SCOD: 19.02.2014(as intimated by PSPCL) PEDDA granted extension in commissioning upto 12/2021	37 of 2013 dated 25.06.2013 (generic tariff for FY 2013-14)	5.16	Project yet to be commissioned
<p>As per PPA signed on 16.11.2012, the tariff is mentioned as Rs. 4.88/kWh for Small Hydro below 5 MW commissioned during FY 2012-13, as per generic Tariff Order for FY 2012-13 dated 19.07.2012 in petition no. 35 of 2012 (suo-motu). It is further mentioned in the PPA that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff orders notified by PSERC. The tariff shall remain constant throughout the tariff period following the year of commissioning.</p> <p>PSPCL has intimated that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff order notified by PSERC. However, PSPCL has mentioned the tariff as Rs. 5.16/kWh, which is the generic tariff for FY 2013-14 (Year of SCOD) for small hydro projects below 5 MW determined by PSERC in its Order dated 25.06.2013 in petition no. 37 of 2013 (suo-motu) for FY 2013-14. Further, in its submissions, PSPCL has mentioned that the commissioning of the project is expected in FY 2021-22, therefore the Commission's notified tariff for FY 2021-22 will be applicable.</p> <p>PSPCL has mentioned that if the Commission's notified tariff for the FY 2021-22 is higher than Rs. 5.16/kWh, then PSPCL may negotiate the tariff with the Company and thereafter Supplementary PPA shall be signed with the Company at negotiated tariff, which shall also be got approved from the Commission. The project is yet to be commissioned.</p> <p>Considering the above, the tariff for the project cannot be approved at present. The Commission has recently determined the generic tariff for Small Hydro Projects up to 5 MW for FY 2020-21 in its Order dated 18.09.2020 in petition no. 26 of 2020 (suo-motu) as Rs. 4.30/kWh and tariff for FY 2021-22 shall also be determined at the appropriate time. PSPCL is directed to file a separate application on commissioning of the Project, for consideration of the Commission.</p>						
24.	Salasar Hydro Urja Pvt. Ltd., Ferozepur (3x0.5 MW)	29.04.2015	SCOD: 05.01.2017	Discount based competitive bidding on generic tariff of Rs. 5.16/kWh determined by the Commission vide Order dated 25.06.2013 in petition	3.65 (5.16/kWh – discount 1.51/kWh) [eligible for approved tariff of commissioning year as per further tariff order notified by PSERC (net applicable)	Project yet to be commissioned

				no. 37 of 2013	tariff rate upon adjusting for normal depreciation benefit – discount Rs. 1.51/kWh).	
<p>As per PPA signed on 29.04.2015, the applicable tariff is Rs. 3.65/kWh [Benchmark tariff of Rs. 5.16/kWh for the year 2013-14 (being tariff with normal rate of depreciation) less discount of Rs. 1.51/kWh], and evaluated as lowest bidder. However, the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff order notified by PSERC (net applicable tariff rate upon adjusting for normal depreciation benefit – discount Rs. 1.51/kWh). The tariff shall remain constant throughout the tariff period following the year of commissioning.</p> <p>PSPCL has submitted that the project was selected by PEDA after following competitive bidding process on the basis of discount of Rs.1.51/kWh offered by the company on the generic tariff of Rs. 5.54/kWh for FY 2016-17 for small hydro projects below 5 MW determined by PSERC in Order dated 23.11.2016 in petition no. 55 of 2016(suo-motu) i.e. Rs. 4.03/kWh (net tariff). It has been further mentioned by PSPCL that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff orders notified by PSERC (Net applicable tariff rate upon adjusting for Accelerated Depreciation Benefit – Discount Rs. 1.51/kWh).</p> <p>The Commission notes that there is variation in the submission of PSPCL and the provision in the PPA with regard to tariff. As per submission of PSPCL, the bidding was carried out on the generic tariff of FY 2016-17 determined by the Commission in its Order dated 23.11.2016 in petition no. 55 of 2016 (suo-motu). However, the PPA has been signed on 29.04.2015 and it provides for a different tariff based on discount offered by the company on the generic tariff of FY 2013-14.</p> <p>Considering the above, the tariff for the project cannot be approved. Moreover, the project has not been commissioned till now. PSPCL is directed to file a separate application on commissioning of the project with all the relevant and necessary details, for consideration of the Commission.</p>						
25.	Preetech Power Pvt. Ltd., Kalabala, Gurdaspur (0.8 MW)	16.11.2012	SCOD: 19.02.2014 (PEDA granted extension in commissioning upto 01/2021)	37 of 2013 dated 25.06.2013	4.88	Project yet to be commissioned
<p>As per PPA signed on 16.11.2012, the tariff is mentioned as Rs. 4.88/kWh for small hydro projects below 5 MW commissioned during the year 2012-13, as per generic Tariff Order for FY 2012-13 dated 19.07.2012 in petition no. 35 of 2012 (suo-motu). The tariff shall remain constant throughout the tariff period following the year of commissioning. The PPA further provides that the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff order notified by PSERC.</p> <p>The schedule date of commercial operation of the project was 19.02.2014. The project is yet to be commissioned. PEDA has granted extension in commissioning of the project up to January, 2021.</p>						

In the submissions of PSPCL received on 29.07.2020, PSPCL has mentioned the tariff as Rs. 5.16/kWh (generic tariff for FY 2013-14) determined by the Commission in its Order dated 25.06.2013 in petition no. 37 of 2013 (suo-motu), considering the SCOD of the project as 19.02.2014 (FY 2013-14). However, in the submissions received on 19.08.2020, PSPCL has revised the tariff from 5.16/kWh to Rs. 4.29/kWh, stating that PSERC has notified the tariff of Rs. 4.29/kWh for FY 2020-21 vide Order dated 18.09.2020 in petition no. 26 of 2020 (suo-motu) considering the likely commissioning of the project in January, 2021 as per extension granted by PEDAs.

Considering the above, the tariff for the project cannot be approved at present. Moreover, the tariff determined by the Commission in its ibid Order dated 18.09.2020 is Rs. 4.30/kWh for small hydro projects below 5 MW and not Rs. 4.29/kWh, which is the tariff determined for projects with capacity 5 MW to 25 MW. As such, PSPCL is directed to file a separate application on commissioning of the project with all the relevant and necessary details, for consideration of the Commission.

26.	Preetech Power Pvt. Ltd., Tugalwala, Gurdaspur (0.85 MW)	16.11.2012	29.05.2019 (PEDA granted extension in commissioning upto 29.05.2019) (SCOD: 19.02.2014)	37 of 2013 dated 25.06.2013	4.88	Tariff under negotiation
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As per PPA signed on 16.11.2012, the tariff is mentioned as Rs. 4.88/kWh for small hydro projects below 5 MW commissioned during the year 2012-13, as per generic Tariff Order for FY 2012-13 dated 19.07.2012 in petition no. 35 of 2012 (suo-motu). Further, the company shall be eligible for getting the approved tariff for the project commissioning year as per further tariff orders notified by PSERC. The tariff shall remain constant throughout the tariff period following the year of commissioning.

The schedule date of commercial operation of the project was 19.02.2014. The project has been commissioned on 29.05.2019 (FY 2019-20). PEDAs has granted extension in commissioning of the project up to 29.05.2019.

PSPCL in its submissions has mentioned the tariff of the project as Rs. 5.16/kWh considering the SCOD as 19.02.2014. It has been further mentioned by PSPCL that due to delay in commissioning of the project, PSPCL has sought tariff negotiation with the company for which a meeting was fixed on 09.10.2020 and submitted that thereafter, supplementary PPA shall be signed with the company at the negotiated tariff, which shall be got approved from PSERC.

Considering the above and the fact that PSPCL has not informed the Commission about outcome of the negotiations which were scheduled to be held with the company on 09.10.2020, the tariff for the project cannot be approved at present. As such, PSPCL is directed to file a separate application with all the relevant and necessary details, for consideration of the Commission.

NON-FOSSIL FUEL BASED CO-GENERATION PROJECTS (BAGASSE/BIOMASS)

27.	Chadha Sugars & Ind. Ltd., Kiri Afgana, Gurdaspur (Bagasse) (Proj. Cap. 23 MW) Contr. Cap. 18MW)	10.09.2012	20.12.2010	32 of 2010 dated 30.09.2010 (generic tariff for FY 2010-11)	4.57 [FC:1.73; VC:2.84 (with 5% annual escalation)]	4.57	6.1358
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As per PPA signed on 10.09.2012, the tariff is mentioned as Rs. 4.57/kWh (Rs. 1.73/kWh for fixed tariff and Rs. 2.84/kWh for variable tariff with 5% annual escalation), as applicable to the projects commissioned in FY 2010-11, as per the generic Tariff Order for FY 2010-11 dated 30.09.2010 in Petition No. 32 of 2010 (suo-motu).

It is noted that project was commissioned on 20.12.2010 (FY 2010-11). However, the PPA was signed on 10.09.2012 (FY 2012-13) by PSPCL with the generic levelised tariff of FY 2010-11 as mentioned above. By that time, the generating machinery/equipment had depreciated for two years, which prima facie, ought to have been taken into consideration while agreeing to the tariff.

In view of the above, the tariff for the project cannot be approved at present. PSPCL is directed to file a separate application forthwith with the clarification on the above aspect and all relevant and necessary details, for consideration of the Commission. However, monthly tariff payments to the developer would continue unaffected till a final decision is taken in the matter.

28.	NV Distilleries & Breweries (P) Ltd., Sandharshi, Patiala (Biomass) (Proj. Cap. 10 MW) (Contr. Cap. 6 MW)	11.07.2012	07.08.2012	35 of 2012 dated 19.07.2012 (generic tariff for FY 2012-13)	5.32 [FC: 1.90; VC: 3.42 (with 5% annual escalation); Accelerated Depreciation benefit: 0.12, net tariff: 5.20]	5.32	6.952159
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As per PPA signed on 11.07.2012, the tariff is mentioned as Rs. 4.79/kWh (Rs. 1.81/kWh for fixed tariff and Rs. 2.98/kWh for variable tariff with 5% normative annual escalation) as applicable to projects commissioned in FY 2011-12, as per the generic Tariff Order dated 31.10.2011 in petition no. 59 of 2011 (suo-motu). It is further mentioned in the PPA that the company shall be eligible for getting the applicable tariff for the project commissioning year as per further tariff orders notified by PSERC.

The project was commissioned on 07.08.2012 (FY 2012-13). PSPCL in its submissions has mentioned the tariff as Rs. 5.32/kWh (FC: Rs. 1.90/kWh; VC: Rs. 3.42/kWh with normative annual escalation of 5%) which is the generic tariff for FY 2012-13 determined by the Commission in its Order dated 19.07.2012 in petition no. 35 of 2012 (suo-motu) with net tariff of Rs. 5.20/kWh after adjusting for Accelerated Depreciation Benefit of Rs. 0.12/kWh.

Accordingly, the VC for FY 2020-21 works out to Rs. 5.052897/kWh and the total tariff works out as Rs. 6.952897/kWh. Considering the same, the Commission approves the tariff of Rs. 6.952159/kWh, as intimated by PSPCL for FY 2020-21.

29.	Nawanshahr Power Pvt. Ltd., Nawanshahr (Bagasse) (Proj. Cap. 15 MW) (Contr. Cap. 13.5 MW)	21.07.2014	27.07.2017 (SCOD: 12.12.2014)	50 of 2017 dated 31.10.2017 (generic tariff for FY 2017-18)	6.29 [FC: 2.74, VC: 3.55 (with 5% annual escalation)]	The applicable tariff for the project is contingent upon the outcome of the petition no. 31 of 2019 under adjudication in the Commission	
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As per PPA signed on 21.07.2014, the tariff is mentioned as Rs. 5.70/kWh (FC: Rs. 2.04/kWh; VC: Rs.

3.66/kWh) as applicable for the projects to be commissioned in FY 2013-14. It is further mentioned in the PPA that the company shall be eligible for getting the applicable tariff for the project commissioning year as per further tariff orders notified by PSERC and that the company has opted for a normative escalation factor of 5% per annum for determination of variable charge component of the tariff.

PSPCL in its submissions has mentioned the applicable tariff as Rs. 6.29/kWh (Rs. 2.74/kWh for levellised fixed tariff and Rs. 3.55/kWh for variable cost) for FY 2017-18 with annual escalation of 5% on variable cost, determined by PSERC for FY 2017-18 in its Order dated 31.10.2017 issued in petition no. 50 of 2017(Suo-motu).

It is noted that Nawanshahr Power Pvt. Ltd. has filed a Petition No. 31 of 2019 praying for determination of project specific tariff, which is presently under adjudication before PSERC. As such, the final decision with regard to applicable tariff for the project is subject to the outcome of the said pending petition.

30.	International Mega Food Park Ltd., Dabwala Kalan, Fazilka (Biomass)(4 MW)	04.08.2014	12.02.2016 (SCOD: 03.09.2015)	43 of 2015 dated 24.07.2015 (generic tariff for FY 2015-16)	6.80 [FC: 2.23, VC:4.57 (with annual escalation as per fuel price indexation mechanism)]	6.80	7.4509
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As per PPA signed on 04.08.2014, the tariff is mentioned as Rs. 5.70/kWh for the projects commissioned during the year 2013-14, comprising of levellised fixed tariff of Rs. 2.04/kWh and variable first year tariff of Rs. 3.66/kWh. The PPA further provides that the company shall be eligible for getting the applicable tariff for the project commissioning year as per further tariff orders notified by PSERC. The PPA also provides that the company has opted for the fuel price indexation mechanism for annual escalation of variable charge.

In its submissions, PSPCL has mentioned the tariff as Rs. 6.80/kWh (FC: Rs. 2.23/kWh; VC: Rs. 4.57/kWh)[generic tariff for FY 2015-16 as per the Commission's Order dated 24.07.2015 in petition no. 43 of 2015 (suo-motu)], which is the tariff for the commissioning year of the project (COD 12.02.2016). For FY 2020-21, PSPCL has mentioned the tariff as Rs. 7.4509/kWh.

The Commission notes that the company has opted for fuel price indexation mechanism for annual escalation of the fuel cost. However, the said indexation mechanism was discontinued with effect from FY 2017-18 onwards in CERC RE Regulations, 2017 for the control period FY 2017-18 to FY 2019-20 adopted by the Commission in its Order dated 31.10.2017 in petition no. 50 of 2017 (suo-motu) as also in the CERC RE Regulations, 2020 for the control period FY 2020-21 to FY 2022-23 adopted by the Commission in its Order dated 18.09.2020 in petition no. 26 of 2020 (suo-motu).

Furthermore, PSPCL has submitted that the company is not supplying power to PSPCL since February, 2019. It is presumed that PSPCL has taken necessary action under the terms of the PPA in this regard. The same may be informed to Commission forthwith.

As regards PSPCL's intimation regarding appointment of a Resolution Professional by NCLT vide Order dated 28.02.2019, it is brought out that the details of the case have neither been brought to the notice of the Commission earlier nor now. The Commission is of the view that the said pending adjudication in NCLT would not affect the decision of the Commission with regard to the

determination/approval of the tariff for the project.

Considering the same, PSPCL is directed to file a separate application giving details of the basis on which annual fuel escalation beyond FY 2016-17 has been worked out and also submit year-wise up-to-date calculations of the variable cost and the total tariff including fixed tariff from the date of commissioning of the project, for consideration of the Commission.

31.	Bhogpur Co-op Sugar Mills Ltd., Bhogpur, Jalandhar (Bagasse) (Proj. Cap. 15 MW) (Contr. Cap. 8.54 MW)	04.12.2018	SCOD: 03.12.2020	50 of 2017 dated 31.10.2017 (generic tariff for FY 2017-18)	6.29 [FC: 2.74, VC: 3.55 (with 5% annual escalation)]	6.29 (as on SCOD) (Project yet to be commissioned)
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As per PPA signed on 04.12.2018, the tariff is mentioned as Rs. 6.29/kWh for the projects commissioned during the year 2017-18, (FC: Rs. 2.74/kWh; VC: Rs. 3.55/kWh). The PPA further provides that this tariff will be applicable to the project w.e.f. its commissioning for the entire tariff period. The PPA also provides that an escalation of 5% per annum will be applicable on variable cost after commissioning of the project.

The Commission notes that the SCOD of the project is 03.12.2020 (FY 2020-21) and the project is yet to be commissioned. The tariff of Rs. 6.29/kWh as per the PPA as intimated by PSPCL would suffice in case the project is commissioned as per SCOD in FY 2020-21, which the Commission approves. However, in case the commissioning of the project is delayed, PSPCL will file a separate application with relevant and necessary details, for consideration of the Commission.

32.	Indian Sucrose Ltd., Mukerian (Biomass) (Proj. Cap. 40 MW) (Contr. Cap. 30 MW)	23.12.2016 05.02.2019 (supplementary PPA)	SCOD: 31.03.2020	6.22 (as per Supplementary PPA dated 05.02.2019)	Project yet to be commissioned
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As per PPA, the tariff is Rs. 6.59/kWh [FC: Rs. 2.23/kWh; VC: Rs. 4.36/kWh (with 5% annual escalation)] and that the company shall be eligible for getting the applicable tariff for the project scheduled commissioning year in terms of Commission's generic Tariff Order dated 23.11.2016 in petition no. 55 of 2016 (suo-motu) for FY 2016-17. PSPCL has submitted that as per the supplementary PPA dated 05.02.2019 the applicable tariff mutually agreed between the parties shall be Rs. 6.22/kWh comprising of fixed component of Rs. 2.73/kWh and variable component of Rs. 3.49/kWh starting from the actual date of commercial operation of the project.

The Commission notes that PSPCL vide letter No. 5536 dated 05.02.2019 had submitted a copy of the supplementary PPA dated 05.02.2019 in Petition No. 13 of 2018 filed by the company wherein direction to PSPCL was sought to grant Grid feasibility clearance for the project which was disposed of by the Commission vide Order dated 11.02.2019.

PSPCL has further submitted that as per supplementary PPA dated 05.02.2019, the company was committed to commission the project by 31.03.2020. PSPCL has further informed that the company failed to commission the plant by 31.03.2020, therefore, as per clause 13.3.0 of the PPA, default notice dated 24.06.2020 has been served to the company to commission the project within 60 days, failing which PSPCL shall retain the right to terminate the PPA dated 23.12.2016 read with the supplementary PPA dated 05.02.2019.

In view of the above, since there is a dispute, this PPA is not being considered in this Order.

SOLAR PV POWER PROJECTS							
33.	Soma Enterprise Ltd., Khera Kalmout (1 MW)	18.08.2010	03.12.2011	26 of 2010 dated 07.07.2010 (generic tariff for FY 2010-11 & FY 2011-12)	14.95 [Rs. 17.91/kWh - Rs. 2.96/kWh (AD benefit)]=Rs. 14.95/kWh (net tariff)]	14.95 with subsidy @ Rs. 9.28 by IREDA	14.95 with subsidy @ Rs. 9.28 by IREDA
<p>As per PPA signed on 18.08.2010, the tariff is mentioned as Rs. 14.95/kWh as the generating company is availing the accelerated depreciation benefit as per Income Tax rules, for the entire duration of the agreement. This is in terms of tariff determined by PSERC in its generic Tariff Order for FY 2010-11 & FY 2011-12 dated 07.07.2010 in petition no. 26 of 2010 (suo-motu).</p> <p>The net applicable tariff is Rs. 14.95/kWh with subsidy of Rs. 9.28/kWh reimbursed by IREDA, which the Commission approves.</p>							
34.	Sovox Renewables Pvt. Ltd., Mehandipur, Shahid Bhagat Singh Nagar (1MW)	18.08.2010	16.03.2012	26 of 2010 dated 07.07.2010 (generic tariff for FY 2010-11 & FY 2011-12)	17.91	17.91 with subsidy @ Rs. 12.24 by IREDA	17.91 with subsidy @ Rs. 12.24 by IREDA
<p>As per PPA signed on 18.08.2010, the tariff is mentioned as Rs. 17.91/kWh as the generating company is not availing accelerated depreciation as per Income Tax Rules, for the entire duration of the agreement. This is in terms of tariff determined by PSERC in its generic Tariff Order for FY 2010-11 & FY 2011-12 dated 07.07.2010 in petition no. 26 of 2010 (suo-motu).</p> <p>The net applicable tariff is Rs. 17.91/kWh with subsidy of Rs. 12.24/kWh reimbursed by IREDA, which the Commission approves.</p>							
35.	Econergy Inc., Boparai Kalan, Ludhiana (1 MW)	18.08.2010	02.03.2012	26 of 2010 dated 07.07.2010 (generic tariff for FY 2010-11 & FY 2011-12)	17.91	17.91 with subsidy @ Rs. 12.24 by IREDA	17.91 with subsidy @ Rs. 12.24 by IREDA
<p>As per PPA signed on 18.08.2010, the tariff is mentioned as Rs. 17.91/kWh as the generating company is not availing accelerated depreciation as per Income Tax Rules, for the entire duration of the agreement. This is in terms of tariff determined by PSERC in its generic Tariff Order for FY 2010-11 & FY 2011-12 dated 07.07.2010 in petition no. 26 of 2010 (suo-motu).</p> <p>The net applicable tariff is Rs. 17.91/kWh with subsidy of Rs. 12.24/kWh reimbursed by IREDA, which the Commission approves.</p>							

36.	G.S. Atwal & Co. (Engineers) Pvt. Ltd., Bhuttiwala, Muktsar (1.5 MW)	18.08.2010	10.03.2012	26 of 2010 dated 07.07.2010 (generic tariff for FY 2010- 11 & FY 2011- 12)	17.91	17.91 with subsidy @ Rs. 12.24 by IREDA	17.91 with subsidy @ Rs. 12.24 by IREDA
<p>As per PPA signed on 18.08.2010, the tariff is mentioned as Rs. 17.91/kWh as the generating company is not availing accelerated depreciation as per Income Tax Rules, for the entire duration of the agreement. This is in terms of tariff determined by PSERC in its generic Tariff Order for FY 2010-11 & FY 2011-12 dated 07.07.2010 in petition no. 26 of 2010 (suo-motu).</p> <p>The net applicable tariff is Rs. 17.91/kWh with subsidy of Rs. 12.24/kWh reimbursed by IREDA, which the Commission approves.</p>							
37.	Carill Energy Pvt. Ltd., Bhagsar, Muktsar (1.5MW)	20.08.2010	24.02.2012	26 of 2010 dated 07.07.2010 (generic tariff for FY 2010- 11 & FY 2011- 12)	17.91	17.91 with subsidy @ Rs. 12.24 by IREDA	17.91 with subsidy @ Rs. 12.24 by IREDA
<p>As per PPA signed on 20.08.2010, the tariff is mentioned as Rs. 17.91/kWh as the generating company is not availing accelerated depreciation as per Income Tax Rules, for the entire duration of the agreement. This is in terms of tariff determined by PSERC in its generic Tariff Order for FY 2010-11 & FY 2011-12 dated 07.07.2010 in petition no. 26 of 2010 (suo-motu).</p> <p>The net applicable tariff is Rs. 17.91/kWh with subsidy of Rs. 12.24/kWh reimbursed by IREDA, which the Commission approves.</p>							
38.	PGL Phulkhari, Bathinda (1MW)	27.08.2010	30.12.2011	Based on rate determined by PSERC for solar power projects in its Order dated 13.12.2007 & Order dated 08.07.2011	Rs. 8.52/kWh (FY 2010-11) [Rs. 7/kWh (FY 2006-07) (with 5% annual escalation upto FY 2011- 12)]	8.946	8.946
<p>As per PPA signed on 27.08.2010, the tariff is mentioned as Rs. 8.52/kWh (for FY 2010-11) with 5% annual escalation upto FY 2011-12. This is in terms of tariff determined by PSERC as Rs. 7/kWh (FY 2006-07) with 5% annual escalation upto FY 2011-12 for solar power projects in its Order dated 13.12.2007 in the matter of implementation of NRSE Policy, 2006 and Order dated 08.07.2011 in Petition No. 26 of 2010 (suo-motu).</p> <p>The Project was commissioned on 30.12.2011 (FY 2011-12). Accordingly, the tariff for FY 2011-12 and thereafter works out to Rs. 8.946/kWh. Considering the same, the Commission approves the tariff of Rs. 8.946/kWh as intimated by PSPCL, as applicable for FY 2020-21 and onwards as well.</p>							

39.	NVVN Bundled Power (4 MW) (2 MW Solar + 2 MW Coal)	14.10.2010 14.10.2010 (amendment no. 1)	14.10.2011	(Solar + Coal) Monthly weighted average	(Solar + Coal) Monthly weighted average		
<p>PSPCL has submitted that PPA was signed with M/s Azure Power Punjab Pvt. Ltd. on 27.05.2009 for 2 MW Solar Power and the project was commissioned on 15.12.2009. PSPCL has further submitted that the project migrated under JNNSM Scheme on 14.10.2011. PSPCL has also submitted that PSA was signed for 14 MW Bundled Power (7 MW Solar + 7 MW Coal) with NVVN. Out of two developers, the PPA for 5 MW capacity with one of the developers was terminated by NVVN. Accordingly, only 4 MW bundled power (2 MW Solar + 2 MW Coal) is being received by PSPCL.</p>							
40.	NVVN Bundled Power (70 MW) (35 MW Solar + 35 MW Coal)	14.01.2011	16.08.2013	(Solar + Coal) Monthly weighted average	(Solar + Coal) Monthly weighted average		
<p>As regards submissions made by PSPCL for the PSA for 70 MW bundled power that M/s Megha Engineering and Infrastructures Ltd. (one of the developers/generators) has filed petition (373 of 2018) before Hon'ble APTEL for increase in tariff due to less DNI, M/s Azure Solar Pvt. Ltd. filed petition with DFR No. 123 of 2020 before Hon'ble APTEL for increase in tariff on account of change in law i.e. introduction of GST etc. and Petition No. 211/MP/2018 filed by M/s Azure Power (Rajasthan) Pvt. Ltd. before CERC for increase in tariff on account of change in law i.e. introduction of GST etc., the Commission is of the opinion that aforementioned pending litigations do not affect the determination/approval of tariff by PSERC.</p>							
<p>On a query by the Commission with regard to the tariff for the solar component of the bundled power in respect of S. No. 39 and 40 above, PSPCL submitted that there is no fixed tariff under the bundling scheme as the same varies from month to month owing to changes in the cost of thermal component, since the fuel cost of the NTPC generating stations varies on a monthly basis. Similarly, the solar tariff in the bundled power also varies on a monthly basis as the same is the weighted average of the tariffs of the power procured from 70 different developers. As per submissions of PSPCL, at the time of bidding, the expected weighted average rate of bundled power (Thermal + Solar) was in the range of Rs. 4.34/kWh to Rs. 4.74/kWh which was economical as against the generic tariff of Rs. 17.91/kWh for FY 2010-11 and FY 2011-12. The rates prevailing at that time for purchase of Solar RECs were in the range of Rs. 12/kWh to Rs. 17/kWh. Accordingly, as the rate of bundled power was economical, PSPCL signed the PSAs with NVVN to meet the RPO compliance. The current (Coal + Solar) monthly weighted average tariff is around Rs. 5.27/kWh.</p> <p>Considering the same, the Commission finds that the tariff for the bundled power supplied by NVVN (S. No. 39 & 40) is justifiable and hence approves.</p>							
41.	SECI (30 MW solar)	31.03.2015	15.01.2016	Based on guidelines issued by MoP for implementation of JNNSM Ph II scheme	5.50 including trading margin of Rs. 0.05/kWh	5.50 including trading margin of Rs. 0.05/kWh	5.50 including trading margin of Rs. 0.05/kWh
<p>As per PPA, the applicable tariff for solar power is Rs. 5.50/kWh including trading margin of Rs. 0.05/kWh for entire term of the agreement. SECI carried out reverse bidding based on guidelines</p>							

issued by MoP for implementation of JNNSM Ph II scheme for setting up of 750 MW grid connected Solar PV Power Projects under batch-I dated 25.10.2013 with VGF to developers (reverse bidding on VGF).

WIND POWER PROJECTS

42.	SECI (150 MW wind)	24.11.2017	May, 2019	Tariff determined from reverse auction process conducted by SECI as per RfS dated 31.05.2017	2.72 plus Rs. 0.07/kWh trading margin	2.72 plus Rs. 0.07/kWh trading margin	2.7143 plus Rs. 0.07/kWh trading margin
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As per PPA, the applicable tariff for wind power is Rs. 2.72/kWh i.e. the tariff determined through the reverse auction process conducted by SECI plus trading margin of Rs. 0.07/kWh, for entire term of the agreement. The PPA further provides that the applicable tariff payable by PSPCL shall be the pooled tariff arrived as per Schedule-I (plus trading margin) of the PPA of the commissioned project capacity of all the projects accepted by SECI, till the end of the term of the agreement.

43.	SECI (200 MW wind)	23.03.2018	July, 2019	Tariff determined from reverse auction process conducted by SECI as per RfS dated 12.01.2018	2.52 [2.45 plus 0.07 (trading margin)]	2.52 [2.45 plus 0.07 (trading margin)]	2.51 [2.44 plus 0.07 (trading margin)]
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As per the PPA, from scheduled commissioning date, the tariff payable is Rs. 2.45/kWh plus trading margin of Rs. 0.07/kWh up to commissioning of the cumulative awarded capacity/accepted cumulative capacity by SECI under the RfS. It is further provided in the PPA that weighted average tariff as per Schedule-I plus trading margin of Rs. 0.07/kWh shall be applicable upon the commissioning of the cumulative awarded capacity/accepted cumulative capacity by SECI under RfS for balance term of this agreement for the energy supplied. It is also provided in the PPA that developers are permitted for full commissioning as well as part commissioning of the project even prior to SCD. In case of early part commissioning, till the achievement of full commissioning or SCD, whichever is earlier, 75% of the tariff will be applicable plus trading margin of Rs. 0.07/kWh. In case of full commissioning of the project prior to SCD, full tariff is payable. Any excess generation over and above contracted energy may be purchased at 75% of the tariff.

PSPCL in its submissions received on 19.08.2020, informed that SECI through its letter dated 18.08.2020 has informed PSPCL that CERC vide its Order dated 28.02.2020 passed in petition no. 161/AT/2019 and IA No. 85/2019 has adopted individual tariff i.e. Rs. 2.44/kWh discovered through transparent bidding process instead of weighted average tariff i.e. Rs. 2.45/kWh as mentioned in the PSA signed by SECI and PSPCL. PSPCL has informed that it is in the process of signing supplementary PSA with SECI at the tariff of Rs. 2.44/kWh plus Rs. 0.07/kWh trading margin (Rs. 2.51/kWh) and the supplementary PSA shall also be got approved from PSERC.

In respect of the aforementioned three PSAs with SECI (one for Solar Power and two for Wind Power), the Commission is of the view that even though prima facie the tariff appears to be competitive, the same would need approval of the Commission separately since these involve payment of trading margin as well. As such, PSPCL is directed to file separate applications/petitions in this regard with all relevant and necessary information/details, for consideration of the Commission. However, monthly tariff payments to SECI/developer would continue unaffected till a final decision is taken in the matter.

Summarizing the above, the Commission approves the tariff and the contracted capacity/quantum of 142.44 MW pertaining to 30 projects listed at S. No. 1 to 20, 28, 31 and 33 to 40, out of the 43 projects, as per details above. The Commission further directs PSPCL to come back to the Commission for re-determination of tariff, where required in terms of the PPA, after the specified period mentioned in the respective PPAs.

The Tariff and contracted capacity for the remaining 13 projects at S. No. 21 to 27, 29, 30, 32 and 41 to 43 is not approved in this Order for the reasons mentioned against the respective projects hereinbefore.

The petition is disposed of accordingly.

Sd/-

(Anjuli Chandra)
Member

Sd/-

(Kusumjit Sidhu)
Chairperson

Chandigarh

Dated: 16.12.2020

Annexure- 1**List of Projects**

S.No.	Generating Station	Date of signing of PPA/PSA	Contracted Capacity (MW)
1.	Aqua Power Ltd.,Lohgarh, Sangrur	10.03.2005	2
2.	Abohar Power Generation Pvt. Ltd.,Sudhar, Ludhiana	20.11.2008	1.25
3.	Abohar Power Generation Pvt. Ltd.,Channuwal, Moga	20.11.2008	0.9
4.	Abohar Power Generation Pvt. Ltd.,Khanpur, Ludhiana	20.11.2008	1.05
5.	Abohar Power Generation Pvt. Ltd.,Gholia, Moga	20.11.2008	0.9
6.	Abohar Power Generation Pvt. Ltd., Akhara, Ludhiana	20.11.2008	1.1
7.	Gill Acqua Hydro Power Generation Co. Pvt. Ltd., Madhopur, Gurdaspur	04.06.2009	3.8
8.	Gill Acqua Hydro Power generation Co. Pvt. Ltd., Madhopur	20.11.2008	6
9.	Paradise Power Generation Pvt. Ltd., Smalsar, Moga	05.03.2009	0.35
10.	Universal Biomass Energy Pvt. Ltd., Channu, Muktsar	02.06.2009	14.5
11.	Dee Development Engineers Pvt. Ltd., Ferozepur	04.03.2011	8
12.	A2Z Maintenance & Engineering Services Ltd., Nakodar	25.08.2011	15
13.	Sukhbir Agro Energy Ltd., Ferozepur	02.01.2018	18
14.	Sukhbir Agro Energy Ltd., Faridkot	02.01.2018	18
15.	Green Planet Energy Ltd., Vill. Manuke Gill, Moga	14.10.2009	6
16.	Green Planet Energy Pvt. Ltd, Vill. Binjon, Hoshiarpur	14.10.2009	10 (6 MW Biomass) (4 MW Biogas)
17.	A.B. Grain & Spirits Pvt. Ltd., Kiri Afgana, Gurdaspur.	25.04.2011	3
18.	Rana Sugars Ltd. Butter Sevan, Amritsar	04.12.2012	20
19.	A.B. Sugars Ltd., Randhawa, Hoshiarpur	04.12.2012	20
20.	Chandigarh Distillers & Bottlers Ltd., Banur, Mohali	22.03.2013	5
21.	Lakshmi Energy & foods Ltd.,Khamano, Fatehgarh Sahib	25.03.2013	24
22.	Wahid Sandhar Sugars Ltd., Phagwara	28.03.2013	7
23.	Indian Sucrose Ltd., Mukerian, Hoshiarpur	27.06.2014	6

24.	Green Planet Energy Pvt. Ltd., Vill.Birpind, Jalandhar	14.10.2009	6
25.	Viaton Energy Pvt. Ltd., Vill. Khokar Khurd, Mansa	04.04.2011	10
26.	PSPCL's own Rice straw Biomass power plant outsourced to M/s Sukhbir Agro Energy Ltd., Vill.Jalkheri, Fatehgarh Sahib	22.05.2019	10
27.	Sampuran AgriVentures Pvt. Ltd, Vill. Painchawali, Fazilka	07.04.2014	0.7
28.	Hargobind Bio Energy, Vill. Dakounda, Patiala	07.01.2016	0.5
29.	SAB Industries Ltd, Moonak, Sangrur	17.05.2019	1.5
30.	Himalayan Renewable Energy Pvt. Ltd., Talewal	22.02.2010	0.6
31.	Atlantic Power Pvt. Ltd. Terkiana, Hoshiarpur	02.12.2009	0.65
32.	Sam India Hydro Power Pvt. Ltd., Bowani	03.11.2011	1.2
33.	Atlantic Power (Phoola)Pvt. Ltd., Bathinda	04.10.2011	0.6
34.	SKR Hydro Power Generators Pvt. Ltd.,Bibiwala, Bathinda	04.10.2011	0.4
35.	Majha Canal Hydro Projects, Udhanwal, Pathankot	22.10.2012	0.65
36.	Sidhwan Hydro Power Pvt. Ltd., Ludhiana	16.11.2012	0.7
37.	UBDC Hydro Company, Kunjar, Gurdaspur	19.11.2012	2
38.	P & R Gurdittwala Hydro Power Pvt. Ltd., Ferozepur	16.05.2014	2
39.	Atlantic Power Pvt. Ltd., Nakkian, Roopnagar	07.01.2016	0.3
40.	Kotla Renewables Pvt. Ltd., Daudhar, Moga	16.12.2016	1.5
41.	Kotla Renewables Pvt. Ltd., Nidampur, Sangrur	16.12.2016	0.8
42.	Kotla Renewables Pvt. Ltd., Thuhi, Patiala	16.12.2016	0.8
43.	DSL Power Pvt. Ltd., Ralla, Mansa	20.11.2008	0.3
44.	Hydro Energy & Infrastructure, Bhikhi, Sangrur	03.02.2016	0.25
45.	Dallanwala Non-convention-al Power Generation Pvt. Ltd., Gujran, Sangrur	16.11.2012	0.6
46.	Salasar Hydro Urja Pvt. Ltd., Ferozepur	29.04.2015	1.5
47.	Preetech Power Pvt. Ltd., Kalabala, Gurdaspur	16.11.2012	0.8

48.	Preetech Power Pvt. Ltd., Tugalwala, Gurdaspur	16.11.2012	0.85
49.	Chadha Sugars & Ind. Ltd., Kiri Afgana, Gurdaspur	10.09.2012	18
50.	NV Distilleries & Breweries (P) Ltd., Sandharshi, Patiala	11.07.2012	6
51.	Nawanshahr Power Pvt. Ltd., Nawanshahr	21.07.2014	13.5
52.	International Mega Food Park Ltd., Dabwala Kalan, Fazilka	04.08.2014	4
53.	Bhogpur Co-op Sugar Mills Ltd., Bhogpur, Jalandhar	04.12.2018	8.54
54.	Indian Sucrose Ltd., Mukerian	23.12.2016 05.02.2019 (supplementary PPA)	30
55.	Soma Enterprise Ltd., Khera Kalmout	18.08.2010	1
56.	Sovox Renewables Pvt. Ltd., Mehandipur, Shahid Bhagat Singh Nagar	18.08.2010	1
57.	Econergy Inc., Boparai Kalan, Ludhiana	18.08.2010	1
58.	G.S. Atwal & Co. (Engineers) Pvt. Ltd., Bhuttiwala, Muktsar	18.08.2010	1.5
59.	Carlill Energy Pvt. Ltd., Bhagsar, Muktsar	20.08.2010	1.5
60.	PGL Phulkhari, Bathinda	27.08.2010	1
61.	NVVN Bundled Power (4 MW) (2 MW Solar + 2 MW Coal)	14.10.2010	4
62.	NVVN Bundled Power (70 MW) (35 MW Solar + 35 MW Coal)	14.01.2011	70
63.	SECI (30 MW solar)	31.03.2015	30
64.	SECI (150 MW wind)	24.11.2017	150
65.	SECI (200 MW wind)	23.03.2018	200
Total			778.09