

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

Petition No. 24 of 2020
Date of Order: 07.01.2021

Petition for consideration of Capping of RPO Rate of FY 2015-16 for FY 2018-19, FY 2019-20 and FY 2020-21 and onwards.

In the matter of: Ambuja Cements Limited, village Daburjee, Post office, Lodhimajra, Distt. Rupnagar- 140113

Petitioner....

Present: Ms. Kusumjit Sidhu, Chairperson
Ms. Anjuli Chandra, Member
Sh. Paramjeet Singh, Member

ORDER:

Ambuja Cements Limited, village Daburjee, Post Office Lodhimajra, Distt. Rupnagar (ACL) has filed the present petition submitting that it is operating its Captive Power Plant of 30MW capacity since 2005. Ministry of Power, Government of India vide Letter No. 30/04/2018-R&R dated 01.10.2019 has given clarification on orders dated 22nd July 2016 and 14th June 2018 of MoP related to Renewable Purchase Obligation. It has clarified that for CPPs commissioned before 01.04.2016, RPO should be maintained at the level as mandated by the appropriate Commission for the year 2015-16. Ambuja Cements Limited has accordingly requested this Commission to issue the necessary Regulations to fix and cap the RP obligation for its CPP unit at the rate as applicable for FY 2015-16 for FY 2018-19, FY 2019-20, FY 2020-21 and onwards.

2. The Commission sought reply/comments of Punjab State Power Corporation Limited (PSPCL) and Punjab Energy Development Agency (PEDA) on admission of the petition vide notice dated 23.10.2020. PSPCL filed its reply that PSPCL is not affected by the fixing of RPO

targets for Captive Power Plants as per Letter No. 30/04/2018-R&R dated 01.10.2019 issued by Ministry of Power, Government of India. PEDDA also filed its reply that as per the existing Regulations, the Commission is vested with the power to amend/ alter the existing Regulations. PEDDA also stated that the petitioner has claimed that its CPP has commissioned before 01.04.2016 but no cogent proof has been appended and the petitioner should be put to strict proof in this regard.

3. The petition was admitted vide order dated 13.11.2020, further directing the petitioner to submit proof with regard to the date of commissioning of the CPP. The petitioner submitted the relevant documents in this regard vide affidavit dated 07.12.2020. After hearing the matter on 09.12.2020, Order was reserved.

4. Observations and Decision of the Commission

The Commission has carefully gone through the petition, replies by PSPCL & PEDDA and other submissions made by the petitioner. The petitioner has prayed for issuing necessary amendment in the regulations for capping of Renewable Purchase Obligation (RPO) of FY 2015-16 for FY 2018-19 and onwards for its Captive Power Plant (CPP) at Rupnagar as per the clarification issued by Ministry of Power (MoP) in its letter NO.30/04/2018-R&R dated 01.10.2019 on orders related to Renewable Purchase Obligation.

MoP letter dated 01.10.2019 provides as under:

“3. Based on the concern raised by various stakeholders and after due consultation with MNRE, CEA and CERC it is further clarified that:

i) For CPPs commissioned before 01.04.2016, RPO should be at the level as mandated by the appropriate Commission for the year 2015-2016. For CPPs commissioned from 01.04.2016 onwards, the RPO level as mandated by the

appropriate Commission or Ministry of Power, whichever is higher, for the year of commissioning of the CPP shall be applicable.

- ii) In case of any augmentation in the capacity, the RPO for augmented capacity shall be the RPO applicable for the year in which the CPP has been augmented.*
- iii) In case, for meeting the RPO obligation, CPP has surplus power then its consumption requirement, such a CPP may sell its surplus power to the DISCOMs under the prevailing arrangements or in the power exchange.”*

In its reply, PEDA has submitted that as per the existing Regulations, the Commission is vested with the powers to amend/alter the existing Regulations. PEDA further submitted that the relief claimed by the petitioner is the prerogative of the Commission and the Commission may pass appropriate Orders as deemed fit. PSPCL has also in its reply submitted that the Commission may allow/amend the RPO Regulations in view of the MoP letter dated 01.10.2019. PSPCL has further submitted that the Commission issues directions from time to time for RPO compliance including those for CPPs and PSPCL monitors the same.

Considering the above, the Commission in exercise of its powers vested under Regulation 9 'Power to Amend' of the Punjab State Electricity Regulatory Commission (Renewable Purchase Obligation and its compliance) Regulations, 2011 (as amended from time to time) directs its staff to initiate the process for amending the said Regulations accordingly.

The petition is disposed of in terms of above.

Sd/-
(Paramjeet Singh)
Member

Sd/-
(Anjali Chandra)
Member

Sd/-
(Kusumjit Sidhu)
Chairperson

Chandigarh
Dated: 07.01.2021