

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

**Petition No. 48 of 2021**  
**Date of Hearing: 21.10.2021**  
Date of Order: 02.11.2021

Petition under Section 86 (1) (b) of the Electricity Act 2003, for approval of Procurement of 100 MW (approx. 67% Wind Power & 33% Solar Power) Round the Clock (RTC) RE Power for 25 Years from M/s Renew Surya Roshni Pvt. Ltd., New Delhi through Intermediary Traders M/s Solar Energy Corporation of India and Procurement 197 MUs of excess Wind Energy from June to September every year for the term of 25 years directly from M/s Renew Surya Roshni Pvt. Ltd. New Delhi.

AND

In the matter of: Punjab State Power Corporation Limited (PSPCL), The Mall, Patiala-147001 (Punjab)

.....Petitioner

Versus

1. Solar Energy Corporation of India (SECI), Plate-B, 6<sup>th</sup> Floor, Tower-2, NBCC Office Block, East Kidwai Nagar, New Delhi- 110023.
2. Renew Surya Roshni Private Limited, 138, Ansal Chambers-II, Bhikaji Cama Place, New Delhi-110066.

....Respondents

Present: Sh. Viswajeet Khanna, Chairperson  
Ms. Anjali Chandra, Member  
Sh. Paramjeet Singh, Member

PSPCL: Sh. Gurchain Singh Banga, CE/ARR&TR  
Sh. Deepak Gupta, SE/TR-2  
Sh. Kewal Singh (ASE)  
Sh. Gerry (AEE)

SECI: Ms. Tanya Sareen, Advocate

Renew Surya: Ms. Akansha Tanvi, Advocate

**ORDER**

1. The Petitioner PSPCL has filed the present petition seeking approval of Procurement of 100 MW (approx. 67% Wind Power & 33% Solar Power)

Round the Clock (RTC) RE Power from M/s Renew Surya Roshni Pvt. Ltd., through SECI at the levelled tariff of Rs. 3.81/kWh and 197 MUs of excess Wind Energy (from June to September every year) directly from M/s Renew Surya Roshni Pvt. Ltd. at the approximate tariff (including STOA Charges) of Rs. 2.82/kWh, for the term of 25 years. The SPD has stated that BCD if any, imposed on solar modules/cells would not be claimed from PSPCL as change in law if the PPA is approved by the Commission and signed immediately. The petition was admitted vide the Commission's Order dated 31.08.2021 with directions that; notice be issued to the respondents to file reply, if any, to the petition within 10 days with a copy to PSPCL and for PSPCL to file its rejoinder, if any, to the reply filed by the respondents within a week thereafter.

2. During hearing on 15.09.2021, PSPCL submitted that SECI is retracting from its commitment of making available Wind and Solar Power in the ratio of 67% and 33% respectively and has changed the battery storage capacity from 20 MWh to 8 MWh. Further, on a query from the Commission relating to RTC nature of the power which was not established from the draft PSA, learned counsel for SECI and the SPD submitted that written submissions would be filed after seeking instructions from their respective clients, with an advance copy to PSPCL. Accordingly, PSPCL, SECI and SPD were advised to mutually discuss and resolve the issue among themselves and file replies. PSPCL was directed to file its submissions through an affidavit along with justification on the reasonability of cost for power arrangement under consideration as mandated under Regulation 13 of the PSERC (Power Purchase and Procurement Process of Licensee) Regulations, 2012.

3. The issue of RTC power could not be resolved and during the hearing on 29.09.2021, it was submitted on behalf of SECI that it will be appropriate if PSPCL, SECI and SPD convene another meeting for resolving the issue. Therefore, the Commission vide its Order dated 04.10.2021 observed that the parties may convene another meeting for resolving the issue and thereafter, PSPCL may file its submissions on affidavit along with their justification on reasonability of cost, for the consideration of the Commission.
4. The Petition was again taken up for hearing on 21.10.2021. PSPCL stated before the Commission that they wish to withdraw the petition since they have not been able to come to an acceptable understanding with the SECI/SPD and do not wish to enter into a PPA contract any more. The Commission observes that PSPCL, SECI and SPD have failed to mutually resolve the issue and PSPCL has filed an affidavit vide memo no. 7447 dated 18.10.2021 submitting that SPD has not committed/ agreed to the commitments sought by PSPCL regarding minimum guaranteed energy in each real-time 15 minute time-block and minimum fixed quantum of wind and solar power for the procurement of 100 MW RE RTC power through SECI and that it is agreeable to capture these commitments only for the 197 MUs seasonal excess power. As the procurement of 100 MW RE RTC power is the main requirement of PSPCL, it has been decided by PSPCL to withdraw the petition. The representative appearing on behalf of PSPCL requested that PSPCL may be allowed to withdraw the petition with liberty to file a fresh petition, if so required.

The Commission is of the view that in the absence of any commitment of supplying minimum RTC power in all time blocks the proposal of procurement of 100 MW on long term basis at the stated levelled tariff

(including Trading Margin) of Rs. 3.81/kWh is not acceptable to PSPCL, the petitioner, even though the respondents have stated that any proposed BCD likely to be imposed on Solar Panels would not be applicable/ or claimed from PSPCL as change in law, in case the PPA is approved by the Commission and signed immediately.

**In view of above and the submission of PSPCL to withdraw the petition, the petition is dismissed as withdrawn with liberty to file a fresh petition if required.**

Sd/-

(Paramjeet Singh)  
Member

Sd/-

(Anjuli Chandra)  
Member

Sd/-

(Viswajeet Khanna)  
Chairperson

Chandigarh  
Dated: 02.11.2021