

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 214/AT/2023

- Subject : Petition under Section 63 of the Electricity Act, 2003 for adoption of tariff for 600 MW Solar Power Projects (Tranche VIII) connected to the Inter-State Transmission System (ISTS) and selected through competitive bidding process as per the Guidelines of Government of India.
- Date of Hearing : **8.11.2023**
- Coram : Shri Jishnu Barua, Chairperson
Shri Arun Goyal, Member
Shri P. K. Singh, Member
- Petitioner : Solar Energy Corporation of India Limited (SECI)
- Respondents : SBE Renewables Fifteen Private Limited and 4 Ors.
- Parties Present : Shri M. G. Ramachandran, Sr. Advocate, SECI
Ms. Anushree Bardhan, Advocate, SECI
Ms. Surbhi Kapoor, Advocate, SECI
Shri Aneesh Bajaj, Advocate, SECI
Ms. Srishti Khindari, Advocate, SECI
Shri Hemant Singh, Advocate, ASEJPL
Shri Lakshyajit Singh, Advocate, ASEJPL
Shri Harshit Singh, Advocate, ASEJPL
Shri Ayush Raj, Advocate, ASEJPL
Ms. Lavanya Panwar, Advocate, ASEJPL

Record of Proceedings

At the outset, learned senior counsel for the Petitioner submitted that subsequent to the filing of the present Petition, SECI has signed Power Sale Agreements (PSAs) dated 13.10.2023 with TANGEDCO for another 500 MW and on the basis of the said PSAs, SECI is in process of signing the Power Purchase Agreements (PPAs) with the Renewable Energy Developers, namely, ReNew Solar Power Private Limited (200 MW) and Eden Renewables Alma Private Limited (300 MW) in terms of Letter of Award dated 6.4.2020 issued to them for the onward supply to TANGEDCO. Learned senior counsel submitted that Petitioner has already filed a revised memo of parties impleading them as a party to the Petition and requested to issue notice to them.

2. Learned counsel for Respondent No.2, ASEJSPL submitted that the Respondent has already filed its reply in the matter. Learned counsel further submitted that the Commission, in its recent order dated 5.11.2023 in Petition No.224/AT/2023, did not recognize the Change in Law event spelt out by the Respondent in its written submissions. However, the Commission has proceeded to

recognize the GIB Order of the Hon'ble Supreme Court as the Change in Law event during the tariff adoption stage in its order dated 8.3.2023 in Petition No. 245/AT/2022 even when there was no specific prayer of SECI for recognition of the said event as Change in Law nor was there any specific provision under the PPAs related to that particular Change in Law event. Learned counsel sought liberty to file a written note of submissions in the matter.

3. After hearing the learned senior counsel for the Petitioner and the Respondent No.2, the Commission ordered as under:

(a) The Petitioner to map the newly impleaded Respondents (Respondents Nos. 6 to 9) on the e-filing portal of the Commission.

(b) Issue notice to the newly impleaded Respondents who may file their replies to the Petition, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder, if any, within a week thereafter.

(c) The Petitioner to place on record the copies of executed PPAs with the Respondents 8 & 9, if any, within two weeks. The Petitioner to indicate the status of the balance untied capacity of 100 MW (out of 1200 MW) and the tentative timeline for tying up such capacity under the PSA & PPA, if any.

(d) Respondent No.2, ASEJSPL to file its written submissions within a week.

4. The Petition will be listed for hearing on **5.12.2023**.

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