

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.348/MP/2023

- Subject : Petition under Section 79, including 79(1)(b), 79(1)(f) & 79(1)(k) of the Electricity Act, 2003 seeking a declaration that the bid process initiated by Solar Energy Corporation of India Limited (SECI) alongwith the Power Purchase Agreement (PPA) dated 30.12.2022, executed in terms thereof is a nullity
- Date of Hearing : **13.3.2024**
- Coram : Shri Jishnu Barua, Chairperson
Shri P. K. Singh, Member
- Petitioner : Adani Renewable Energy Four Limited (ARE4L).
- Respondent : Solar Energy Corporation of India Limited.
- Parties Present : Shri Hemant Singh, Advocate, ARE4L
Shri Chetan Garg, Advocate, ARE4L
Shri Harshit Singh, Advocate, ARE4L
Ms. Alchi Thapliyal, Advocate, ARE4L

Record of Proceedings

At the outset, the learned counsel for the Petitioner submitted that the present Petition had been filed *inter-alia*, seeking a declaration that the Request for Selection ('RfS') dated 25.5.2021, issued as per the "Guidelines for Tariff based Competitive Bidding Process for Procurement of Power from Grid Connected Wind Power Projects" issued by the Solar Energy Corporation of India Limited for procurement of the 1200 MW power generated from the ISTS connected Wind Power Project (Tranche-XI) along with the Power Purchase Agreement ('PPA') dated 30.12.2022 executed in terms thereof is a nullity on account of the incurable defaults on part of Respondent, SECI in complying with its various obligations under the RfS, Letter of Award, and the PPA, within the stipulated timelines (while unilaterally coercing the Petitioner to execute the PPA on 30.12.2022, after making certain un-approved deviations shared on 8.7.2022). Learned counsel further submitted that the Commission vide order dated 9.3.2024 in Petition No. 353/AT/2023 has granted the liberty to the Petitioner herein to approach the Commission separately for the adjudication of issues raised by ARE4L in the said Petition.

2. After hearing the learned counsel for the Petitioner, the Commission directed as under:

(a) Admit. Issue notice to the Respondent.

(b) The Petitioner to serve a copy of the Petition to the Respondent immediately, and the Respondent to file its reply to the Petition within six weeks after serving

a copy of the same to the Petitioner, who may file its rejoinder within four weeks thereafter.

(c) Parties to comply with the above directions within the specified timeline and no extension of time shall be granted.

3. The Petition will be listed for the hearing on **22.8.2024**.

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