केन्द्रीय विद्युत विनियामक आयोग
CENTRAL ELECTRICITY REGULATORY COMMISSION

याचिका संख्या/Petition No 94/AT/2026

कोरम/ Coram:

श्री जिश्नु बरुआ, अध्यक्ष / Shri Jishnu Barua, Chairperson

श्री रमेश बाबू व., सदस्य / Shri Ramesh Babu V., Member

श्री हरीश दुदानी, सदस्य / Shri Harish Dudani, Member

श्री रविन्द्र सिंह ढिल्लो, सदस्य /Shri Ravinder Singh Dhillon, Member

आदेश दिनांक/ Date of Order 19th of November, 2026

IN THE MATTER OF:

Petition under Section 63 of the Electricity Act, 2003 for Adoption of Tariff of additional capacity of 1150 MW Firm & Despatchable Power under "Greenshoe Option" from ISTS connected RE Power Projects coupled with Energy Storage System selected through Competitive Bidding Process under Bidding Guidelines issued by Ministry of Power, Govt. of India on 09.06.2023 and its amendments thereof. (Tender: 2024_NHPC_813414_1 dated 28.06.2024).

And

In the matter of:

NHPC Limited,
NHPC Office Complex, Sector-33,
Faridabad (Haryana) - 121003 **... Petitioner**

Versus

1 **Jevargi Solar Power Private Limited**
6th Floor Imperia Mindspace,
Golf Course extension Road,
Sector-62, Gurugram, Haryana -122001.

2 **Juniper Green Energy Private Limited**
Plot No 18 First floor, Institutional Area,
Sector-32,Gurugram -122001 (Haryana)

3 **Avaada Energy Private Limited**

C-11, Sector-65, Noida,
Uttar Pradesh -201301.

4 **ACME Solar Holdings Limited**

Plot No 152, Sector-44,
Gurugram-122002, Haryana

…Respondents

Parties Present:

Ms. Rashmi Vaish, Advocate, SJVNL
Shri Divyankur, Advocate, SJVNL
Shri Mritunjay, Advocate, SJVNL
Shri Tabrez Malawat, Advocate, ACME Solar Holdings Limited
Shri Syed Hamza, Advocate, ACME Solar Holdings Limited
Shri Sourajit Sarkar, Advocate, ACME Solar Holdings Limited
Ms. Anushree Bardhan, Advocate, SJVNL
Ms. Ritika Singh, Advocate, SJVNL
Ms. Somya Sahni, Advocate, SJVNL
Ms. Rashmi Vaish, Advocate, SJVNL
Shri Tabrez Malawat, Advocate, ACME Solar
Shri Sourajit Sarkar, Advocate, ACME Solar
Shri Syed Hamza, Advocate, ACME Solar
Ms. Rupali Jain, Advocate, ACME Solar

ORDER

The Petitioner, NHPC Limited (hereinafter referred to as "NHPC"), has filed the present Petition under Section 63 of the Electricity Act, 2003 (hereinafter referred to as "the Act") seeking adoption of the tariff of the remaining capacity of 1150 MW Firm & Despatchable Power under the "Greenshoe Option" from ISTS-connected Renewable Energy Power Projects coupled with Energy Storage Systems selected through transparent process of competitive bidding (Tender: 2024_NHPC_813414_1 dated 28.06.2024). Initially, NHPC filed Petition No. 87/AT/2025 seeking adoption of tariff for the base capacity of 1200 MW, which this Commission adopted vide order dated 19.06.2025. However, the tariff pertaining to the additional 1150 MW "Greenshoe Option" quantum was not adopted in the said order, as the Petitioner had neither prayed for the adoption of the tariff pertaining to the "Greenshoe Option" quantum nor advanced any submissions on this aspect during the hearings in Petition No. 87/AT/2025. The Petitioner

subsequently moved this Commission for review of the said order vide Review Petition No. 14/RP/2025, which was dismissed and disposed of by this Commission vide order dated 15.01.2026 on the ground that the Review Petition did not disclose any error apparent on the face of the record because the original prayers were narrowly tailored strictly to the base capacity. However, considering the importance of the matter pertaining to green power, the Commission granted liberty to the Petitioner to file a fresh Petition specifically seeking the adoption of the "Greenshoe Option" quantum to be considered in accordance with law. In terms of the said liberty, the Petitioner has filed this present fresh Petition.

2. The Petitioner has made the following prayers:

1) Admit the present Petition.

2) Adopt the Tariff under 'Greenshoe Option' discovered in the Competitive Bidding Process for individual Power Projects as listed in Table-2 at paragraph 10 above on terms and conditions contained in the PPA to be signed with RE-Power Generators being Respondent Nos 1 to 4 and a Trading Margin of Rs 0.07/kWh in addition to above Tariff is to be recovered from buying Utilities /Distribution Licensee/DISCOM(s) in terms of the PSA to be signed between NHPC & Utilities/ Distribution Licensee.

3) Pass such other and further order/orders as are deemed fit and proper in the facts and circumstances of the case.

Submissions of the Petitioner

3. NHPC has submitted as follows:

a. The present petition is filed seeking the adoption of the tariff for the remaining capacity under the 'green shoe option' discovered by the Petitioner in the transparent competitive bidding process in terms of the Guidelines notified by the MOP, Government of India, in terms of Section 63 of the Electricity Act 2003 dated 09.06.2023.

b. The Present Petition is being filed in terms of the liberty granted by this Commission vide order dated 15.01.2026 in 14/RP/2025 for consideration of adoption of tariff for 1150 MW under Green Shoe Option vide a fresh Petition.

c. Ministry of Power, GOI, vide resolution dated 09.06.2023, had issued Guidelines for Tariff Based Competitive Bidding Process for Procurement of Firm and Dispatchable Power from Grid Connected Renewable Energy Power Projects with Energy Storage Systems with specific objectives such as 'To provide Firm and Dispatchable power to the DISCOMs from renewable energy sources; To facilitate renewable capacity addition

and fulfilment of Renewable Purchase Obligation (RPO)/ Storage Power obligations (SPO) requirement of DISCOMs'.

d. Based on REIA bidding calendar, NHPC as REIA, invited bids for setting up of Inter-State Transmission System (ISTS) connected Firm and Dispatchable Renewable Power projects under a Tariff based Competitive bidding process and entering into Power Purchase Agreements (PPA) at the tariff discovered in the competitive bid process with the selected RE Power Generator (hereinafter referred to as 'RE-PGs') and enter into Power Sale Agreement (hereinafter referred to as 'PSA') with the Distribution licensees/ Buying Utilities on a back to back basis to enable them to fulfil the Renewable Purchase Obligations (RPO) under Section 86(1)(e) of the Electricity Act 2003 with NHPC acting as an intermediary Procurer.

e. NHPC issued Request for Selection (RfS) document for selection of RE- Power Generators (RE-PGs) "*Selection of RE Power Developers for Supply of 1200MW Firm & Dispatchable power (Assured Peak Power Supply) from ISTS connected Renewable Energy Power Projects coupled with Energy Storage System (ESS) on 'anywhere in India' basis under Tariff Based Competitive Bidding (TBCB) with "GREENSHOE OPTION" of additional capacity upto 1200 MW (NHPC-Tranche-VI-FDRE (2024-25)*".

f. NIT for 'Request for Selection (RfS) for ISTS Grid Connected Firm & Dispatchable Renewable Power Projects of 1200 MW to be set up anywhere in India' was issued vide Tender: 2024_N HPC_813414_1 dated 28.06.2024. Bids for Tariff Based Bidding (for 25 years) were invited on an International Competitive Bidding basis in a single-stage, two-envelope bidding process, followed by a Reverse Auction among shortlisted Bidders.

g. Up to the last date of submission of online bid, five (05) online bids were received on CPP Portal. The online and offline bids (Part-I: (Techno-Commercial) were opened by a duly constituted TOC on 11.10.2024, and Price bids were opened on 05.12.2024. The Tender Evaluation Committee constituted by NHPC Management evaluated the submitted bids. As per the TEC's recommendation, 05 bidders were declared successful. Four (04) bidders (except H1) participated in E-Reverse Auction (E-RA). The Reverse Auction bidding was conducted on 10.12.2024, and the following bidders remained successful bidders along with the capacity allotted & quoted Tariff.

h. The Reverse Auction bidding was conducted on 10.12.2024, and the following bidders remained successful bidders along with the capacity allotted & quoted Tariff:

Table-1

S.No	Name of RE-PGs	Allocated Capacity (MW)	Tariff (Rs/kWh)	Rate
1	Jevargi Solar Power Private Limited	150	4.48	L1
2	Juniper Green Energy Private Limited	200	4.56	L2
3	Avaada Energy Private Limited	600	4.56	L3
4	Acme Solar Holdings Limited	250	4.56	L4
	Total	**1200**		

i. Further, as per the RfS, the successful bidders were asked to give their willingness to execute PPA(s) for additional capacity under "Greenshoe Option" at the Lowest Tariff (L1 rate) discovered under the competitive bidding process (followed by e-reverse auction) to the extent of their respective allocated capacity of e-RA. Accordingly, capacity was allocated under "Greenshoe Option" vide LOAs dated 30.01.2025.

j. The adoption of Tariff for the additional capacity under Greenshoe Option is consistent with the scheme and provisions of the Electricity Act 2003 as provided in the preamble, section 61(h) and 79 of the Electricity Act 2003, the National Electricity Policy and National Tariff Policy notified by the Central Government under section-3 of the Electricity Act 2003.

k. It is clarified that one of the RE-PGs, Respondent No. 2 herein, has been allocated a capacity of 300 MW under the 'Greenshoe Option', which is higher than the base allocation of 200 MW. The Petitioner duly allowed all four successful bidders to bid for the allocation under the 'Greenshoe Option'; however, since Respondent No. 1 was not willing to take an additional allocation, the remaining bidders were offered additional capacity, as per the RfS. The details of the allocation under the 'Greenshoe Option' are as under:

Table-2

S. No.	Name of RE-PG	Green shoe Capacity	Green shoe Tariff (Rs/kWh)
1.	Jevargi Solar Power Private Limited	-	-
2.	Juniper Green Energy Private Limited	300	4.48
3.	Avaada Energy Private Limited	600	4.48
4.	ACME Solar Holdings Limited	250	4.48
	TOTAL	**1150**	

l. Tariff of Rs 4.48/kWh for 1150 MW as discovered under the 'Greenshoe Option', equivalent to the Lowest tariff (L1 rate) discovered under competitive bidding process (followed by e-reverse auction) and even with Trading Margin of Rs 0.07/kWh is less than the procurement cost of conventional power of Discom (s) and as such, it shall be beneficial for the Distribution Licensee / Buying Utilities and the consumer at large.

m. The base allocated capacity, as per Table-1, has already been considered and adopted by this Commission vide order in Petition No 87/AT/2025 dated 19.06.2025.

n. The Petitioner has approached States/Discom(s) for providing "In-Principle" consent for procurement of 1200 MW power (base allocation) along with the additional capacity of 1150 MW (greenshoe option) through NHPC as REIA in the above scheme after issuance of LOAs. Upon receiving consent from DISCOMs/States, NHPC shall sign a PSA with DISCOMs, and back-to-back Power Purchase Agreements (PPAs) shall be signed with the above RE-PGs. Back-to-back Power Purchase Agreements (PPAs) are to be signed between NHPC and the above RE-PGs mentioned in Table-1 and Table-2 after signing of PSA with DISCOMs/Buying Utilities. As per RfS and PPAs to be signed with RE Power Generator (RE-PGs), the commissioning of Projects shall be 24 months from date of signing of PPAs.

Hearing dated 26.2.2026

4. The Petitioner reiterated their submissions and further stated that the adoption of the tariff, in the present case, has been sought only for the capacity allotted under Greenshoe Option and the tariff for the capacity originally allotted under the concerned RfS has already been adopted by the Commission in its order dated 19.6.2025 in Petition No. 87/AT/2025. The

Respondent No. 4, ACME Solar Holdings Limited, submitted that it has already entered into a Power Purchase Agreement with the Petitioner for the capacity allotted under the Greenshoe Option and that the adoption of the tariff, as prayed for by the Petitioner, be allowed. After hearing the learned counsel for the Petitioner and the Respondent, the Commission ordered admission and issued notice to the Respondents. The Respondents were directed to file their replies, if any, within two weeks, with a copy to the Petitioner, who may file its rejoinder, if any, within two weeks thereafter.

Hearing dated 16.4.2026

5. Learned counsel for the Respondent, ACME Solar Holdings Limited, while supporting the Petition, submitted that the Respondent has already entered into a Power Purchase Agreement with the Petitioner for the capacity allotted under the Greenshoe Option, i.e., 250 MW. After hearing learned counsel for the Petitioner, the Commission directed the Petitioner to file an affidavit within a week stating the status of the PPAs and PSAs for the Greenshoe capacity and , if any, the copies thereof. Subject to the above, the Commission reserved the matter for order.

Compliance with ROP dated 24.04.2026

6. The details with respect to the PPA and PSA executed with respect to the Greenshoe capacities of the respective respondents are set out in the table below:

S. No.	Name of RE-PG	Greenshoe Capacity (MW)	PPA Status/ PPA Date	PSA Status/ PSA Date
1.	Jevargi Solar Power Private Limited	-	Not Applicable	Not Applicable
2.	Juniper Green Energy Private Limited	300	-	-
3.	Avaada Energy Private Limited	600	-	-
4.	ACME Solar Holdings Limited	250	PPA signed on 29.01.2026 for 250 MW	PSA signed with PSPCL on 27.01.2026 for 250 MW
	TOTAL	**1150**		

Analysis and Decision:

7. We have considered the submissions of the Petitioner and the Respondents and perused the documents placed on record. We now proceed to consider the prayer of the Petitioner regarding the adoption of tariff for additional capacity of 1150 MW Firm & Despatchable Power under "Greenshoe Option" from the ISTS connected RE Power Projects coupled with Energy Storage System, as per the guidelines of the Government of India and its amendments under Section 63 of the Electricity Act, 2003.

8. Section 63 of the Act provides as under:

"Section 63. Determination of tariff by bidding process: Notwithstanding anything contained in Section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government."

9. Thus, in terms of Section 63 of the Act, the Commission is required to adopt the tariff on being satisfied that the transparent process of bidding in accordance with the Guidelines issued by the Central Government has been followed in determining such tariff.

10. The key milestones in the bidding process were as under:

Sr. No.	Event	Date
1.	RfS issued by NHPC	28.06.2024
2.	Pre-bid meeting held	10.07.2024
3.	Corrigendum-01 to the RfS documents uploaded	23.07.2024
5.	Corrigendum-02 to the RfS documents uploaded	29.07.2024
6.	Corrigendum-03 to the RfS documents uploaded	05.08.2024
7.	Corrigendum-04 to the RfS documents uploaded	05.08.2024
5.	Corrigendum-05 to the RfS documents uploaded	13.08.2024
6.	Corrigendum-06 to the RfS documents uploaded	06.09.2024
7.	Corrigendum-07 to the RfS documents uploaded	20.09.2024
8.	Corrigendum-08 to the RfS documents uploaded	26.09.2024
9.	Technical Bid Opening	11.10.2024
10.	Price Bid Opening	05.12.2024
11.	e-RA	10.12.2024
12.	LOA issue date	30.01.2025

11. As noted by the Commission in its Order in Petition No 87/AT/2025, the selection of the successful bidders has been done, and the tariff of Renewable Energy Power Developers has been discovered by the Petitioner through a transparent process of competitive bidding in accordance with the "Guidelines for Tariff Based Competitive Bidding Process for Procurement of Firm and Dispatchable Power from Grid Connected Renewable Energy Power Projects with Energy Storage Systems" dated 09.06.2023, issued by the Ministry of Power, Government of India, under Section 63 of the Act. Therefore, in terms of Section 63 of the Act, the Commission has already adopted the individual tariff for the RE Power Developers, as agreed to by the successful bidder(s) vide the said Order as under:

Table-1

S.No	Name of RE-PGs	Allocated Capacity (MW)	Tariff (Rs/kWh)
1	Jevargi Solar Power Private Limited	150	4.48
2	Juniper Green Energy Private Limited	200	4.56
3	Avaada Energy Private Limited	600	4.56
4	Acme Solar Holdings Limited	250	4.56
	Total	**1200**	

12. The present Petition has been filed for the adoption of the tariff for the additional capacity of 1150 MW Firm & Despatchable Power under the "Greenshoe Option", noting that the tariff for the capacity originally allotted under the concerned RfS had already been adopted by this Commission in its earlier order dated 19.06.2025 in Petition No. 87/AT/2025.

13. It was informed that all successful bidders after e-RA were willing to execute PPA(s) for additional capacity through 'Greenshoe Option' at the lowest tariff (L1 rate) discovered under the competitive bidding process (followed by e-reverse auction) to the extent of their respective allocated capacity of e-RA as per the RfS document. Accordingly, the Petitioner allocated capacity under 'Greenshoe Option' vide LOAs dated 30.01.2025. The details of the allocation under the 'Greenshoe Option' by the Petitioner are as under:

Table-2

S. No.	Name of RE-PG	Green shoe Capacity	Green shoe Tariff (Rs/kWh)
1.	Jevargi Solar Power Private Limited	-	-
2.	Juniper Green Energy Private Limited	300	4.48
3.	Avaada Energy Private Limited	600	4.48
4.	ACME Solar Holdings Limited	250	4.48
	TOTAL	**1150**	

14. According to the Petitioner, the allocation under 'Greenshoe Option' varied among the successful bidders: M/s Avaada Energy Private Limited was allocated 600 MW, M/s Juniper Green Energy Private Limited was allocated 300 MW, and ACME Solar Holdings Limited (Respondent No. 4) was allocated 250 MW. M/s Jevargi Solar Power Private Limited did not receive any Greenshoe capacity. The Petitioner further confirmed that out of these allocations, the PPA and PSA have been successfully executed for the 250 MW Greenshoe capacity allocated to ACME Solar Holdings Limited, with the PPA signed on 29.01.2026 and the corresponding back-to-back PSA signed with Punjab State Power Corporation Limited (PSPCL) on 27.01.2026.

15. As informed by the Petitioner during the proceedings, the Petitioner has approached States/Discom(s) for providing "In-Principle" consent for procurement of 1200 MW power (base allocation) along with the additional capacity of 1150 MW (Greenshoe Option) through NHPC as REIA in the above scheme after issuance of LOAs. It is informed that, upon receiving consent from DISCOMs/States, the Petitioner will sign a PSA with DISCOMs, and back-to-back Power Purchase Agreements (PPAs) will be signed with the above RE Power Developers. Commissioning of the Projects shall be completed within 24 months from the date of signing the PPAs.

16. While the implementing agency, NHPC, has included enabling provisions in the RfS to facilitate allocation under the Greenshoe Option, the Commission is of the view that the allocation of additional capacity under the Greenshoe Option might raise

concerns regarding transparency, consistency, and equal treatment of bidders, particularly in light of the requirement to ensure a level playing field and maintain fairness in the competitive bidding framework.

17. The Commission notes that the Guidelines issued by the Central Government under Section 63 of the Act do not expressly provide for or define the "Greenshoe Option". However, the Commission observes that NHPC Limited, acting as the implementing agency, incorporated the provisions relating to the Greenshoe Option in the original Request for Selection (RfS) document issued for the procurement of power through tariff-based competitive bidding. The guidelines provide for enhancing tendered capacity within the same bidding framework, subject to the condition that such enhancement is of a similar nature and governed by identical terms and conditions as those of the original Request for Selection (RfS). It is, however, observed that the term "Greenshoe Option" is not defined or specifically provided for in the said Guidelines issued by the Ministry of Power. The mechanism adopted by NHPC under the nomenclature of the "Greenshoe Option" appears to mirror the technical specifications, commercial terms, and bidding parameters of the original capacity.

18. In this regard, reference is invited to previous orders of this Commission (e.g. 773/AT/2025, 643/AT/2025, 79/AT/2024) wherein upon a detailed examination of the bidding processes, it had observed that the selection of successful bidders and the discovery of tariffs were undertaken through a transparent process of competitive bidding in consonance with the "Guidelines for Tariff Based Competitive Bidding Process for Procurement of Firm and Dispatchable Power from Grid Connected Renewable Energy Power Projects with Energy Storage Systems" dated 09.06.2023, issued by the Ministry of Power under Section 63 of the Electricity Act, 2003. In the said cases, the Commission, ex abundanti cautela, permitted the allocation of additional capacity to certain developers after considering the purported "Greenshoe Option" proposed by the implementing agency.

19. The Commission in the past had directed REIAs to approach the Ministry of Power for clarity on the 'Greenshoe Option'. The Commission has noted that, vide the Ministry of Power communication No. 48-6/18/2025-NRE SECTION dated 28.10.2025, REIAs informed the Ministry of Power of CERC's observation regarding the 'Greenshoe

Option'. It is expected that the REIAs will not engage in the 'Greenshoe Option' in future without the express provision in the bidding guidelines. Given that this is a legacy case (RfS dated 28.06.2024), in the interest of regulatory consistency, the Commission has decided to adopt the individual tariffs.

20. In terms of Section 63 of the Act, the Commission adopts the individual tariff in terms of the respective Letters of Award by restricting the allocation of additional capacity of M/s Juniper Green Energy Private Limited under the Greenshoe option to 200 MW, instead of the originally allocated 300 MW. Accordingly, the total approved additional capacity under the Greenshoe Option is revised to 1050 MW, comprising allocations to M/s Avaada Energy Private Limited (600 MW), M/S Juniper Green Energy Private Limited (200 MW), and M/S ACME Solar Holdings Limited (250 MW). Accordingly, the tariffs adopted for the individual projects under the Greenshoe Option by the Commission are as follows:

S. No.	Name of RE-PG	Green Shoe Capacity	Green shoe Tariff (Rs/kWh)
1.	Jevargi Solar Power Private Limited	-	-
2.	Juniper Green Energy Private Limited	**200**	4.48
3.	Avaada Energy Private Limited	600	4.48
4.	ACME Solar Holdings Limited	250	4.48
	TOTAL	**1050**	

21. Prayer (2) of the Petitioner is answered in terms of the paragraph above. The adoption of the tariff as above is subject to the signing of PSAs with the distribution licensees. As soon as the awarded capacity is tied up under the PPAs and PSAs, the Petitioner shall place on record the copies of such PPAs and PSAs. Also, if the awarded capacity does not fructify into the PPAs and PSAs, the Petitioner shall also place on record such development(s) in the file of the present case.

22. The Petitioner, NHPC, has also prayed to approve the trading margin of Rs. 0.07/kWh to be paid by the Distribution Companies/Buying Entity(ies) as specified in the

Guidelines. In this regard, Clause (1)(d) of Regulation 8 of the Trading Licence Regulations provides as under:

"For transaction under long term contracts, the trading margin shall be decided mutually between the Trading Licensee and the seller:"

23. The above provision gives the choice to the contracting parties to mutually agree on a trading margin for long-term transactions. However, proviso to Regulation 8(1)(d) of the Trading Licence Regulations provides as under:

*"8(1) (d) * * * * **

Provided that in contracts where escrow arrangement or irrevocable, unconditional and revolving letter of credit as specified in clause (10) of Regulation 9 is not provided by the Trading Licensee in favour of the seller, the Trading Licensee shall not charge trading margin exceeding two (2.0) paise/kWh."

24. Regulation 8(1)(f) of the Trading Licence Regulations provides as under:

"For transactions under Back to Back contracts, where escrow arrangement or irrevocable, unconditional and revolving letter of credit as specified in clause (10) of Regulation 9 is not provided by the Trading Licensee in favour of the seller, the Trading Licensee shall not charge trading margin exceeding two (2.0) paise/kWh."

25. The above two provisions are exceptions to the main provision as regards trading margin. In case the distribution licensees agree to a trading margin of Rs. 0.07/kWh, it will be deemed to be in consonance with Regulation 8(1)(d) of the Trading Licence Regulations. However, in case of failure by SECI to provide an escrow arrangement or an irrevocable, unconditional, and revolving letter of credit to the wind-solar hybrid power generators, the trading margin shall be limited to Rs. 0.02/kWh specified in Regulation 8(1)(d) and Regulation 8(1)(f) of the Trading Licence Regulations.

26. Petition No. 94/AT/2026 is disposed of in terms of the above.

Sd/-	Sd/-	Sd/-	Sd/-
रविन्द्र सिंह ढिल्लो	हरीश दुदानी	रमेश बाबू व.	जिश्नु बरुआ
सदस्य	सदस्य	सदस्य	अध्यक्ष