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BEFORE THE HON'BLE GUJARAT ELECTRICITY REGULATORY  
COMMISSION AT GANDHINAGAR

Filing No. \_\_\_\_\_  
Case No. \_\_\_\_\_

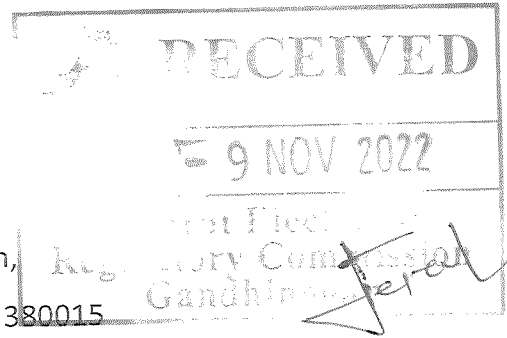
IN THE MATTER OF

Petition for revision of minimum quantum of purchase (in %) from renewable energy sources for FY 2021-22 under the provisions of Regulation 4.1 and 4.2 of GERC (Procurement of Energy from Renewable Sources) Regulations, 2010

AND

IN THE MATTER OF

Torrent Power Ltd.,  
"Samanvay", 600, Tapovan,  
Ambawadi, Ahmedabad – 380015



.....PETITIONER

THE PETITIONER ABOVE NAMED RESPECTFULLY FILES ITS SUBMISSIONS AS UNDER:

1. Torrent Power Limited, is a Company incorporated under the Companies Act, 1956. Torrent Power Ltd (hereinafter referred to as "TPL-D" or the "Petitioner") is filing this petition in its capacity as the licensee of Dahej SEZ area.
2. The Hon'ble Commission in exercise of the powers conferred under Sections 61, 66, 86 (1) (e) and 181 of the Electricity Act 2003 (36 of 2003), has issued the GERC (Procurement of Energy from Renewable Sources) Regulations, 2010 vide its Notification No. 03 of 2010 dated 17<sup>th</sup> April, 2010 (hereinafter referred to as RPO Regulations) for promoting the sale of power from renewable energy

sources and for procurement of energy from renewable sources by distribution licensee within the State of Gujarat. In the RPO Regulations, the Hon'ble Commission has specified the minimum percentage for procurement of power from Wind, Solar and Other Sources ("Obligation"). Subsequently, the Hon'ble Commission issued the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (First Amendment) Regulations, 2014 dated 04.03.2014 revising Obligation under RPO Regulations.

3. The Hon'ble Commission has further revised the Obligation through the Gujarat Electricity Regulatory Commission (Procurement of Energy from Renewable Sources) (Second Amendment) Regulations, 2018 vide its Notification No. 1 of 2018 on 21<sup>st</sup> April, 2018. As per the said Notification, the RPO obligations of the obligated entities for FY 2021-22 is under:

Year	Minimum Quantum of purchase (in %) from renewable energy sources (in terms of energy in kWh)			
	Total	Wind	Solar	Biomass, Bagasse and others
FY 2021-22	17.00%	8.25%	8.00%	0.75%

4. In compliance to the above, the Petitioner has made sincere efforts to fulfil the RPO through purchase of Renewable Energy.
5. Accordingly, the status of compliance of RPO of TPL-D for FY 2021-22 is tabulated as under:

(In MUs)

Particulars	TPL-D
Energy Requirement	677.39
RE Procurement	
Wind energy to be procured (@8.25%)	55.88
Solar energy to be procured (@8.00%)	54.19
Biomass/Bagasse/Others (@0.75%)	5.08
Total (17.00%)	115.16
Compliance (Non-Solar)	
Wind	24.14

Particulars	TPL-D
Non-Solar REC	-
Compliance	24.14
Compliance (as % of Energy Requirement)	3.56%
<b>Compliance (Solar energy)</b>	
Solar	11.43
Solar-REC	-
Compliance	11.43
Compliance (as % of Energy Requirement)	1.69%
<b>Total Shortfall/(Surplus)</b>	<b>79.59</b>

6. In case of wind, the Petitioner has made efforts to fulfill its obligation by entering into long term arrangements and also procured power from green day ahead market. Accordingly, the Petitioner has achieved the RPO of 3.56% for wind. It may kindly be noted that during FY 2021-22, the Petitioner has not received any offer for supply of wind power.
7. In case of RPO for Others category, the Petitioner would like to submit that it has encountered the following issues beyond its control:
- During FY 2017-18, the Petitioner had signed the tripartite agreement for procurement of power, from 15 MW MSW plant located at Gyaspur (Ahmedabad). This plant was scheduled to be commissioned in March 2021 but has been granted extension in SCOD till 31<sup>st</sup> March, 2023 by GUVNL, being the nodal agency.
  - The installed capacity for Biomass/Bagasse/Mini Hydro category in the State is as under.

Installed Capacity (MW)	Biomass	Mini Hydro
As on 31-03-15	41.10	8.56
As on 31-03-16	41.10	8.56
As on 31-03-17	41.10	8.56
As on 31-03-18	41.10	20.56
As on 31-03-19	41.10	20.56
As on 31-03-20	41.10	60.60
As on 31-03-21	44.15	60.96

Installed Capacity (MW)	Biomass	Mini Hydro
As on 31-03-22	51.65	77.56

Source: SLDC

- c. It can be seen from the above that there is no capacity addition during FY 2014-15 to FY 2019-20 for Biomass. Capacity addition during FY 2020-21 & FY 2021-22 was not available to the Petitioner. Additionally, 12 MW capacity addition during FY 2017-18 & 40.04 MW during FY 2019-20 in Mini Hydro was not available to the Petitioner. During FY 2020-21 there has been no capacity addition in mini hydro. During FY 2021-22, capacity addition in Hydro was not available to the Petitioner. It may also be noted that the Petitioner has not received any offer for supply of power from above sources during FY 2021-22.
- d. As against increase of the RPO for others category from 0.5% in FY 2018-19 to 0.75% during FY 2019-20, FY 2020-21 and FY 2021-22, there is no commensurate addition in the installed capacity.
8. Under the circumstances, the Petitioner requests the Hon'ble Commission to revise the target of 0.75% for others category for FY 2021-22.
9. In case of solar, the Petitioner has made necessary arrangements to fulfil its solar RPO including entering into long term solar PPA and procuring power from Green Day Ahead Market. Accordingly, the Petitioner has achieved solar RPO of 1.69%. However, the Petitioner could not fulfill the solar RPO due to following issues which are beyond its control:
- The RPO for FY 2021-22 has been amended vide Notification dated 21<sup>st</sup> April, 2018 and the solar RPO targets were increased substantially from 1.75% for FY 2017-18 to 4.25% for FY 2018-19, 5.50% for FY 2019-20, 6.75% for FY 2020-21, and 8% for FY 2021-22 i.e. steep rise of 2.50% for FY 2018-19 and thereafter 1.25% per year upto FY 2021-22.
  - During FY 2020-21 the Petitioner had initiated the competitive bidding process and has successfully tied up 450 MW solar power for TPL-D

license areas of Ahmedabad/Gandhinagar, Surat, Dahej and Dholera SIR. Considering lead time for commencement of supply under any long-term arrangement of about 15-18 months, it is not possible to get supply of electricity in FY 2021-22. Further, due to force majeure events, the scheduled commissioning date of the project is revised to CY 2023.

- c. During FY 2021-22, the Petitioner has also procured 0.01 MUs solar energy from Green Day Ahead Market.

10. Based on the above, it can be seen that the actions taken by the Petitioner are bona fide.

11. The Regulation 4.2 of the Hon'ble GERC (Procurement of Energy from Renewable Sources) 2010 provides that:

*“4.2 The Commission may, suo-motu or at the request of a licensee, revise the percentage targets for a year as per clause 4.1 of these Regulations keeping in view supply constraints or other factors beyond the control of the licensee.”*

12. Based on above, the Petitioner humbly requests the Hon'ble Commission to kindly revise the minimum percentage target for purchase of power from renewable energy sources for the FY 2021-22.

### 13. Prayers

The Petitioner prays the Hon'ble Commission:

- a) To admit the petition.
- b) To revise the percentage target of purchase from renewable energy sources for FY 2021-22 keeping in view the supply constraints and the factors beyond the control of the licensee.
- c) To afford the reasonable opportunity of hearing to the Petitioner before passing any orders in the matter.
- d) To allow additions/ alterations/ changes/ modification to the submissions.
- e) To condone any inadvertent omissions/ errors/ shortcomings.
- f) To grant any other relief/s as it deems fit and appropriate under the circumstances of the case and in the interest of justice.

Declaration that the subject matter of above petition has not been raised by the Petitioner before any other competent forum, and that no other competent forum is currently seized of the matter or has passed any orders in relation thereto.

Place: Ahmedabad

Date: 08.11.2022



Authorized Signatory

Serial No. A-07736/2022

(PARESH G. BAROT)  
NOTARY  
GOVT. OF INDIA

- 8 NOV 2022

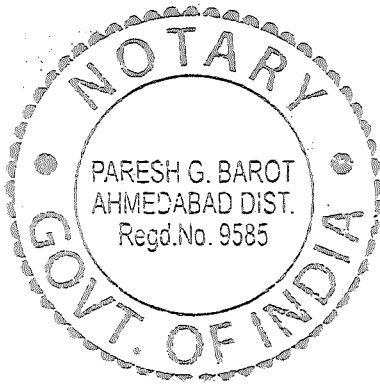
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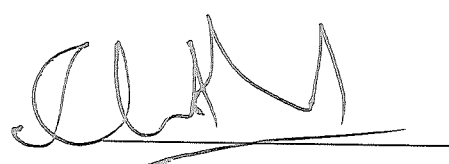
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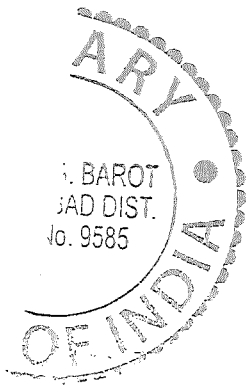
I, Chetan Bundela, son of Sh. Manharlal Bundela, aged about 50 years, working as Vice President of Torrent Power Limited, the Petitioner, having office at Samanvay, 600, Tapovan, Ambawadi, Ahmedabad – 380 015 do solemnly affirm and state on oath as under :

1. That I am duly authorized by the Petitioner Company to swear this Affidavit.

2. That the facts stated in the submissions are based on record and files of the Petitioner Company and they are true and correct to my knowledge, information and belief and I believe the same to be true.

Solemnly affirmed at Ahmedabad on this 8<sup>th</sup> day of November, 2022.

  
(DEPONENT)



SOLEMNLY AFFIRMED  
BEFORE ME  
  
(PARESH G. BAROT)  
NOTARY  
GOVT. OF INDIA

- 8 NOV 2022

