

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2432 of 2024.

In the matter of:

Petition under Section 86 (b) and (e) of the Electricity Act, 2003 for refund of connectivity charges paid by those Small Scale Distributed Solar Project Developers who exercise the Second Time Exist Option.

Petitioner : Gujarat Urja Vikas Nigam Limited
Represented by : Ld. Adv. Mr. Utkarsh Singh along with Mr. Kishore Lakhani.
Co-Petitioner No. 1 : Madhya Gujarat Vij Company Limited
Represented by : Mr. D.R. Kharva.
Co-Petitioner No. 2 : Uttar Gujarat Vij Company Limited
Represented by : Mr. V. P. Prajapati.
Co-Petitioner No. 3 : Paschim Gujarat Vij Company Limited
Represented by : Ld. Adv. Mr. Utkarsh Singh along with Mr. S.N. Parmar.
Co-Petitioner No. 4 : Dakshin Gujarat Vij Company Limited
Represented by : Ld. Adv. Mr. Utkarsh Singh along with Mr. K.B. Vasava.

CORAM:

**Mehul M. Gandhi, Member
S. R. Pandey, Member**

Date: 17/06/2025.

DAILY ORDER

1. The matter was kept for hearing on 12.06.2025.
2. Ld. Adv. Mr. Utkarsh Singh, appearing on behalf of the Petitioner GUVNL submitted that the present Petition is filed for seeking approval of this Commission to allow

the Co-Petitioner distribution companies (DISCOMs) of the Petitioner to give refund of connectivity charges levied as per Regulation 7(2) of GERC (Terms and Conditions of Intra-State Open Access) Regulations, 2011 which provides regarding non-refundable connectivity charges of Rupees One lakh per application to those Small, Scale Distributed Solar Power Project Developers who exercise the second-time exit option approved by the State Government as special case.

- 2.1. It is also submitted that the Government of Gujarat had notified the “Policy for Development of Small Scale Distributed Solar Projects” vide GR No. SLR/11/2019/51/B1 dated 06.03.2019 for procurement of power from Small, Scale Distributed Solar Projects of 0.5 MW to 4 MW capacity and subsequently on 15.11.2019 the Government also notified guidelines for implementation of above policy.
3. We have considered the submissions made by the Petitioners. We note that the present Petition has been filed by the Petitioner GUVNL alongwith its subsidiaries distribution companies as Co-Petitioners under Section 86 (1) (b) and (e) of the Electricity Act, 2003 seeking permission for refund of connectivity charges paid by those Small Scale Distributed Solar Project Developers who have executed Power Purchase Agreements with the DISCOMs but have thereafter exercised the second Time Exit Option pursuant to Public Notice issued by the Petitioner GUVNL in pursuance of letter No. SLR/11/2019/51 (P2)/B1 dated 20.07.2022 of Energy & Petrochemicals Department, Government of Gujarat.
- 3.1. We also note that the Petitioner GUVNL have not filed necessary documents in support of its Petition like various Policy documents/GR of the Government of Gujarat, details of the PPAs actually executed by the Co-Petitioners with developers, copy of various correspondence, any details regarding such exit option provided in past by it or its subsidiary companies etc. Hence, the Petitioner GUVNL is directed to file on affidavit all such necessary details with supporting documents.
- 3.2. We further note that neither the Petitioner nor the Co-Petitioners have filed (i) details of PPAs actually executed by the Co-Petitioners with developers with name

of Developer, capacity tied up, CUF, date of PPA, Scheduled COD, substation where connectivity is provided etc. (ii) details of DISCOM wise no. of applications for Exit Option received from developers like date on which received, name of Developer, PPA date etc. (iii) any list of developers who have opted for exit option, (iii) details of any request for availing exit option received, (iv) Response, if any, given on applications of exit option received, (v) details of any letters or communications or representations received by the Petitioner and the Co-Petitioners from any Developers raising any issues/concerns etc. therein irrespective of whether such developer has opted for exit option or not (vi) whether any response/ communication or reply to such representations alongwith its details (vii) whether any dispute has been raised or has arisen in this regard (vi) Other necessary details. Hence, the Petitioner and the Co-Petitioners are directed to separately file above details on affidavit.

- 3.3. We direct the Petitioner GUVNL and Co-Petitioner DISCOMs to file their respective submissions and details on affidavit alongwith all necessary / supporting documents within 15 days from the date of this Order.
4. Next date of hearing will be intimated separately.
5. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 17/06/2025.