

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION  
GANDHINAGAR**

**Petition No. 2434 of 2024.**

**In the Matter of:**

**Petition under Section 86 (1) (b) read with Section 62 of the Electricity Act, 2003 for approval of the Supplemental PPA dated 13.11.2024 for extension of PPA dated 22.01.1997 for 210 MW Unit 7 Wanakbori Thermal Power Station for further period up to 01.04.2030 or the actual useful life of the plant whichever is earlier.**

Petitioner : Gujarat Urja Vikas Nigam Limited  
Represented By : Ld. Adv. Mr. Aneesh Bajaj alongwith Ms. Dipti M. Vasava.

V/s.

Respondent : Gujarat State Electricity Corporation Limited  
Represented By : Mr. Shubhadeep Sen, Mr. Nitin Kansara and Mr. S.M. Solanki.

**CORAM:**

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

**Date: 22/09/2025.**

**DAILY ORDER**

1. The present matter was listed for hearing on 19.08.2025.
2. Ld. Adv. Mr. Aneesh Bajaj, appearing on behalf of the Petitioner GUVNL, submitted that the Petitioner has filed the present Petition seeking approval of the Supplemental PPA executed on 13.11.2024 between the parties for extension of PPA dated 22.01.1997 for 210 MW Unit 7

Wanakbori Thermal Power Station for further period up to 01.04.2030 or the actual useful life of the plant whichever is earlier.

- 2.1. He further submitted that pursuant to directives of the Commission in its Daily Order dated 27.06.2025, the Petitioner has filed affidavit dated 29.07.2025 in the matter. He submitted that in response to query of the Commission regarding the justification for the tariff claimed in the SPPA dated 13.11.2024 and the current market price(s) of the other generators for the same is concerned, the Commission in its Tariff Order dated 31.03.2025 has already approved the tariff for WTPS-7 Plant with per unit normative fixed cost of Rs. 0.63 and per unit variable cost of Rs. 4.72 for FY 2025-26. He submitted that the variable cost of plant is higher because the WTPS-7 plant is very old and SHR of the plant is also higher. Further, the WTPS plant is located far away from the coal source and therefore, the cost of transportation and variable cost are also high.
- 2.2. With regard to query of the Commission regarding reasons for delay in approaching the Commission for approval of SPPA dated 13.11.2024, he submitted that the delay in filing the present Petition for approval of SPPA was not deliberate but the same was delayed on account of procedural and administrative steps involved in finalizing and execution of the PPA. He submitted that the timelines involved was due to necessary approvals, legal vetting and formalities of execution which were unavoidable in the matter of such regulatory and contractual significances. Therefore, such delay was neither intentional nor avoidable.
- 2.3. As far as the payment by the Petitioner to the Respondent for energy supplied during the period after expiry of original PPA is concerned, he submitted that after the expiry of the original PPA dated 22.01.1997 in

April 2024, the Respondent GSECL continued to generate and supply power from the WTPS-7 Plant to the Petitioner in order to meet the power demand of the State of Gujarat. He submitted that Article 8 of the PPA states about duration and continuation of the PPA. He submitted that the Petitioner has relied upon the mandate of Article 8 of the PPA and Tariff Order dated 31.03.2025 of the Commission for WTPS – 7 plant of GSECL and therefore, although the formal execution of the SPPA took place after 13.11.2024, the Petitioner continued to supply electricity from WTPS-7 and made payments to GSECL during the aforesaid period. He submitted that the Petitioner has made these payments in good faith and in continuation of the contractual relationship under the PPA dated 22.01.1997. He also submitted that the aforesaid payments done by the Petitioner on provisional basis and in line with the regulated tariff which stands determined upto FY 2029-30.

2.4. He further submitted that the Commission has passed Daily Order dated 27.06.2025 wherein directions were given to the Petitioner for inviting comments/suggestions/objections from the stakeholders in the present Petition by issuing public notices in newspaper and accordingly, in compliance thereof, the Petitioner has published the same in 'The Indian Express' Newspaper on 01.07.2025 in English language and in 'Sandesh & Divya Bhaskar' Newspapers on 01.07.2025 in Gujarati Language newspaper both having circulation in the entire State of Gujarat and also uploaded on GUVNL' website for inviting the objections and suggestions from the stakeholders in the present Petition. Moreover, the Petitioner has also filed compliance affidavit dated 04.07.2025 in this regard before the Commission on 05.07.2025. It is further submitted that in response to the aforesaid public notice, the Petitioner has not received any comments/objections from the stakeholders.

- 2.5. On the query of the Commission that the tariff stated by the Petitioner in its affidavit dated 11.07.2025 from different entities bids discovered in the country and the tariff agreed between the parties consists of variable cost and fixed cost which seems to be higher than tariff indicated in new upcoming coal based power plant in the country. The Petitioner and the Respondent shall provide the details, justification showing that how the tariff discovered in the country in different bids and agreed between the parties are prevailing market aligned tariff with consideration of the transmission charges/losses etc. and proposed tariff agreed between the parties within two weeks.
3. We have considered the submissions made by both the Parties. We note that the present Petition is filed by the Petitioner GUVNL under Section 86 (1) (b) read with Section 62 of the Electricity Act, 2003 seeking approval of the Supplemental PPA dated 13.11.2024 executed with the Respondent GSECL for extension of PPA dated 22.01.1997 for 210 MW Unit 7 Wanakbori Thermal Power Station for further period up to 01.04.2030 or the actual useful life of the plant whichever is earlier.
- 3.1. We note that pursuant to directives of the Commission in Daily Order dated 27.06.2025, the Petitioner has published the public notices and also uploaded on its website for inviting comments/objections/suggestions from the stakeholders in the present Petition and the Petitioner has not received any comments/suggestions from the stakeholders in the matter. We also note that the Petitioner has also filed compliance affidavit dated 04.07.2025 before the Commission on 05.07.2025. We further note that the Petitioner has not received any comments/objections from the stakeholders.

- 3.2. We also note that the staff of the Commission also uploaded the present Petition along with the relevant documents on website ([www.gercin.org](http://www.gercin.org)) of the Commission for inviting comments/suggestions from the stakeholders and in response to the same, even Office of the Commission has not received any comments/suggestions from the stakeholders in the present matter.
- 3.3. As recorded above, as the Petitioner and the Respondent are directed to place on record relevant details/documents/information/justification in the present matter, within two weeks' time, from the date of this Order.
- 3.4. We also note that although it was recorded in Daily Order dated 27.06.2025, the Respondent GSECL has chosen not to file its reply in the present matter. Accordingly, we once again directed the Respondent GSECL to file its reply in the present Petition, if any, within 2 (two) weeks' time, with a copy to the Petitioner. The Petitioner would be at liberty to file its rejoinder reply, if any, within weeks' time with a copy to the Respondent after receipt of reply from the Respondent.
4. Next date of hearing will be on 06.10.2025 at 11.30 AM.
5. Order accordingly.

**Sd/-**

**[S. R. Pandey]**  
**Member**

**Sd/-**

**[Mehul M. Gandhi]**  
**Member**

Place: Gandhinagar.

Date: 22/09/2025.