

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION  
GANDHINAGAR**

**IA No.02 of 2023 in Petition No. 2098 of 2022.**

**In the matter of:**

**Application seeking amendment in Petition.**

**Along with**

**IA No. 05 of 2024 in Petition No. 2098 of 2022.**

**In the matter of:**

**Application on behalf of the Petitioner for Amendment in the Petition No. 2098 of 2022.**

**AND**

**In the matter of:**

**Petition under Section 86 read with Section 63 of the Electricity Act, 2003 for approval of deviations from the Guidelines issued by Central Government for procurement of power through Tariff based Competitive Bidding Process from Grid connected Renewable Energy Sources i.e., Wind, Solar and Wind-Solar Hybrid Projects and for approval of bid documents for carrying out bidding process for procurement of power from Hybrid Power Projects having RE generation with co-located Energy Storage Systems.**

Petitioner : Gujarat Urja Vikas Nigam Limited (GUVNL)  
Represented by : Ld. Adv. Ms. Srishti Kindaria along with Mr. B. B. Patel

V/s.

Objector No. 1 : Wind Independent Power Producers Association  
Represented by : Nobody was present  
Objector No. 2 : Apraava Energy Private Limited  
Represented by : Nobody was present  
Objector No. 3 : Greenko Energies Private Limited  
Represented by : Nobody was present

**CORAM:**

**Anil Mukim, Chairman**  
**Mehul M. Gandhi, Member**  
**S.R. Pandey, Member**

**Date: 27/02/2024.**

**DAILY ORDER**

1. The IA No. 05 of 2024 preferred by the Applicant / Petitioner Gujarat Urja Vikas Nigam Limited (GUVNL) in above Petition along with main matter was heard on 20.02.2024.
2. Ld. Adv. Ms. Srishti Kindaria on behalf of the Petitioner submitted the main Petition has been filed under Section 86 read with Section 63 of the Electricity Act, 2003 for approval of deviations from the Respective Guideline issued by Centre Government for Procurement of Power through Tariff based Competitive bidding Process from Grid connected RE sources, i.e., Wind, Solar and Wind - Solar Hybrid Projects and for approval of Bid documents for carrying out bidding process for procurement of power from Hybrid Power Projects having RE generation with co-located Energy Storage Systems. Further an application being IA No. 02 of 2023 had been filed for seeking amendments to the Petition based on the certain representation made by the stakeholders/bidders seeking modifications/comments to the tender documents issued on 14.06.2022. Subsequent to the filing of the Petition and IA No. 02 of 2023, the Central Government issued new guidelines for tariff based competitive bidding process for procurement of firm and dispatchable power from grid connected to renewable energy power project with energy storage system vide notification No. 23/03/2023 – R&R dated 09.06.2023. These guidelines are issued under Section 63 of the Electricity Act, 2003 to enable the procurement of firm and dispatchable RE power by DISCOM from the grid connected Renewable energy power project with energy storage through tariff based competitive bidding process. The above guidelines would now govern the procurement of Renewable Energy in the present Petition.
3. Ld. Adv. on behalf of the Petitioner submitted that it is necessary to brought to the notice of the Commission about the introduction of aforesaid guideline Further, as per Daily Order dated 11.08.2023 passed by the Commission allowed the petitioner to file application for amendment

of the deviations with a copy to the Objectors. Accordingly, the Petitioner has served the copy of the present application to all objectors.

4. Ld. Adv. on behalf of the Petitioner submitted that pursuant to the guidelines the Petitioner has prepared the a fresh bid documents and sought amendment in the Petition including the cause title of the main Petition. Ld. Adv. further submitted that deviations/modifications, which the Applicant/Petitioner has made in the aforesaid tender are in accordance with deviations approved by the Government of Gujarat from new guideline dated 09.06.2023 issued by the MoP, GoI.
5. On the query of the Commission about the reply to the objections being filed by the Petitioner. Ld. Adv. submitted that in the present IA No. 05 of 2024, there is no objections received wherein the earlier IA No. 02 of 2023 there were certain objections raised which are already replied by the Petitioner.
6. On the further query of the Commission whether the Petitioner has further amended the said Petition or not. It is submitted that the Petition is amended by filing the IA No. 05 of 2024 and also the Petitioner has taken the approval of the Govt. of Gujarat. Further, It is submitted that only approved deviations from new guidelines dated 09.06.2023, issued by MoP, GoI for tariff based competitive bidding process for procurement of firm and dispatchable power from grid connected energy project by the Government of Gujarat has been incorporated in the modified Bid documents and submitted with the Present IA in Petition No. 2098 of 2023.
7. We have considered the submissions made by the Applicant/Petitioner. Also, pursuant to liberty granted by the Commission vide Order dated 11.08.2023, an IA has been preferred seeking permission of this Commission to amend the Petition including its cause title, renumbering of annexure, revising sub-para 12, replacing para 15, 16 with addition to para 16 A to 16 D, replacing para 17, replacing para 18 with addition to para 18 A to para 18 C, replacing para 19 and replacing para 20 with modified prayer clause at para 21 in the main Petition No. 2098 of 2023. The Petitioner has submitted the amended Memorandum of Petition with Bid Documents containing RFS and Draft PPA and requested to allow the amendment of the present Petition No. 2098 of 2023.

8. We note that in view of the guidelines published by the Ministry of Power vide Notification dated 09.06.2023 and the Petitioner has sought amendment in the main Petition for incorporating the relevant provisions in the tender documents for the procurement of power from the Hybrid project of RE generators with Energy Storage System. We also note that the Petitioner has filed present application for amendment of the Petition No. 2098 of 2023 and submitted the modified bid documents incorporating the approved deviations from guideline dated 09.06.2023 issued by Ministry of Power for tariff based competitive bidding process for procurement of firm and dispatchable power from grid connected RE power project with Energy Storage System. Hence, it requires public participation on amended RfS as well as the tender document.
  
9. Accordingly, we hold that a public hearing shall be conducted to take into consideration the views/comments/suggestions/objections of the stakeholders before deciding the present matter. The Applicant/Petitioner is, therefore, directed to issue a public notice in two daily Gujarati Newspaper and one English Newspaper having wide circulation in the State/National level stating that they have filed IA No. 05 of 2024 in Petition No. 2098 of 2022 before the Commission seeking to amend the Petition No. 2098 of 2022 for approval of deviations from the Guidelines issued by Central Government for procurement of power through Tariff based Competitive Bidding Process from grid connected Renewable Energy Power Project with energy storage through tariff based competitive bidding process and for approval of revised bid documents for carrying out bidding process for procurement of 500 MW firm and dispatchable power from grid connected Renewable Energy (RE) power projects in India under tariff based competitive bidding. The Applicant/Petitioner is also directed to upload the IA No. 05 of 2024 along with amended Petition and all the documents on its website and invite comments and suggestions from the stakeholders on the IA seeking amendment in Petition on affidavit on or before 21 days from the date of issuance of public notice. The stakeholders/objectors shall file their comments/objections/suggestions in the Petition to the Secretary, Gujarat Electricity Regulatory Commission, 6th Floor, GIFT ONE, Road 5C, 3 Zone 5, GIFT City, Gandhinagar - 382355 in five copies along with affidavit in support of their submissions with a copy to the Applicant/Petitioner GUVNL within 21 days from the date of issuance of public notice. Moreover, upon receipt of the comments/views/objections/suggestions from the stakeholders, the Applicant/Petitioner is at liberty to file its reply, if any, to the Commission with copy to the objector. The staff of the Commission is also directed to upload the IA No. 05 of 2024 along with amended Petition and all relevant documents thereto on the website of the Commission after compliance affidavit of issuing public notice and uploading of Petition is filed by the

Applicant/Petitioner along with copy of public notices issued by the Applicant/Petitioner is provided to the Commission and invite comments/suggestions from the stakeholders.

10. We also direct the staff of the Commission to provide the copy of representation, if any, received in the present matter to the Petitioner to enable filing reply/response to the same and to inform/issue hearing notice for the present Petition to such stakeholders/objectors who file their submissions/objections/comments before the Commission in the matter.

11. The next date of hearing would be intimated separately.

12. We order accordingly.

**Sd/-**  
**[S.R. Pandey]**  
**Member**

**Sd/-**  
**[MEHUL M. GANDHI]**  
**Member**

**Sd/-**  
**[Anil Mukim]**  
**Chairman**

Place: Gandhinagar.  
Date: 27/02/2024.

