BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION

GANDHINAGAR

Petition No. 2002 of 2021.

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 One Time Exist Option.

Petitioner	:	Gujarat Urja Vikas Nigam Limited
Represented by	:	Ld. Adv. Ms. Srishti Khindaria 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.R. Prajapati
Co-Petitioner No. 3	:	Paschim Gujarat Vij Company Limited
Represented by	:	Mr. S.N. Parmar.
Co-Petitioner No. 4	:	Dakshin Gujarat Vij Company Limited
Represented by	:	Mr. S. A. Bhatiya.

CORAM:

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

Date: 20/12/2024.

DAILY ORDER

1. The matter was kept for hearing on 19.12.2024.

2. When the matter was called out, neither Federation of Renewable and Consumers of Energy nor Gujarat Federation of Solar Industries have remained present during the proceedings nor made any written communication about their inability to remain present, despite being served with notice hearing. However, Office of the

Commission received an email/letter dated 18.12.2024 from Mr. Kandrap J. Vakani conveying their personal difficulty due to his health issue. It is also stated in the letter that he has received a copy of response from the Petitioner on 16.12.2024 through Speed Post and could not prepared the pleadings/reply due to shorter time and accordingly requested that the Commission while granting the adjournment, may grant week' time to file the pleadings/reply in the matter.

3. Mr. Parthiv Dave, appearing on behalf of the P Solar, during the hearing has placed a letter dated 19.12.2024 stating that he has received a copy of response from the Petitioner on 16.12.2024 through Speed Post and could not prepared the pleadings/reply due to shorter time and his busy scheduled. He also submitted that the pleadings/reply is under preparation and accordingly, requested that the Commission while granting the adjournment, may also grant two weeks' time to file the pleadings/reply in the matter.

4. Ld. Adv. Ms. Srishti Khindaria, appearing on behalf of the Petitioner GUVNL submitted that the present Petition has been filed under Section 86 (b) and (e) of the Electricity Act, 2003 seeking approval of the Commission to allow the distribution companies (DISCOMs) to refund the connectivity charges levied as per Regulation 7 of the GERC (Terms and Conditions of Intra-State Open Access) Regulations, 2011 which states about non-refundable connectivity charges of Rupees One lakh per application to those Small Scale Distributed Solar Power Project Developers who were allowed to exercise one-time exit option approved by the State Government as special case.

4.1. She further submitted that pursuant to last hearing held on 28.11.2024 to which the Commission has passed the Daily Order dated 06.12.2024 wherein the Commission had directed all the parties to file their final submissions, if any, within one week' time with a copy to each other from the date of Order and also ensure about the completion of the respective pleadings before the next date of hearing. However, as on today, Mr. Kandrap J. Vakani and Mr. Parthiv Dave seeking further time to file their submissions/reply in the matter. She while objecting the adjournment has also insisted that the Commission while granting time to file reply/submissions to them may reserve the matter for Order.

5. Heard the parties. We note that during the hearing, Mr. Parthiv Dave, on behalf of the P Solar has filed a letter dated 19.12.2024 wherein it is stated that he has received a copy of response from the Petitioner on 16.12.2024 through Speed Post and could not prepared the pleadings/reply due to shorter time and his busy scheduled and accordingly sought adjournment and two weeks' time to file the pleadings/reply in the matter as the aforesaid pleadings/reply is under preparation.

We also note that Office of the Commission received an email/letter dated 18.12.2024 from Mr. Kandrap J. Vakani conveyed their personal difficulty due to his health issue. He also stated that he has received a copy of response from the Petitioner on 16.12.2024 through Speed Post and could not prepare the pleadings/reply due to shorter time and accordingly requested the Commission to adjourn the matter and to grant week' time to file the pleadings/reply in the matter.

5.1. We further note the objection of the counsel of the Petitioner to the adjournment sought by Mr. Kandrap J. Vakani and Mr. Parthiv Dave and that too her insistence regarding the reserving the matter for Order and granting time to them to file reply/submissions in the matter. In view of the above, we decide to grant one last opportunity to all the parties and accordingly direct all the parties to file their final submissions, if any, within one week' time, probably on or before 27.12.2024 with a copy to each other from the date of Order. All the parties shall ensure about the completion of their respective pleadings before the next date of hearing. In view of this, the matter stands adjourned in the interest of justice.

6. Next date of hearing is fixed on 27.12.2024 at 11.30 A.M.

7. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 20/12/2024.