

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION**

**GANDHINAGAR**

**Petition No. 2098 of 2022.**

**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. Mr. Jai Dhanani alongwith Ms. Sailaja Vachhrajani and Mr. Parthik Joshi

V/s.

Objector No. 1 : Wind Independent Power Producers Association

Represented By : Nobody was present.

Objector No. 2 : Apraaava Energy Pvt. Limited

Represented By : Nobody was present.

Objector No. 3 : Greenko Energies Pvt. Limited

Represented By : Mr. Rakesh Shah

**CORAM:**

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

**Date: 30/08/2022.**

**DAILY ORDER**

1. The present matter was heard on 25.08.2022.
2. Ms. Sailaja Vachhrajani, appearing on behalf of the Petitioner Gujarat Urja Vikas Nigam Limited (GUVNL) submitted that the present Petition has been filed 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 with mandatory installation of Energy Storage Systems and for approval of bid documents for carrying out bidding process for procurement of power from such RE Power Projects having RE generation with co-located Energy Storage Systems.
  - 2.1. It is submitted that in compliance to the directives given by the Commission in its Daily Order dated 09.06.2022, the Petitioner issued public notice on 15.06.2022 in one English newspaper viz. Indian Express and one Gujarati newspaper viz. Sandesh. Moreover, the Petitioner also placed the present Petition along with public notice on its website for inviting comments, objections and suggestions from the stakeholders in this matter and has thereafter also filed compliance affidavit dated 15.06.2022 in this regard before the Commission. It is further submitted that the Petitioner has also received comments / suggestions / objections from few stakeholders.
  - 2.2. Moreover, pursuant to the request made by the Petitioner that the Commission may in the interim allow the Petitioner to issue tender so that consultative process, pre-bid conference etc. can be initiated and that the Petitioner will open the tender after the Commission accords its approval to deviations and the Draft Bidding Documents in accordance to the deviations as may be approved, the Commission in the interim while allowing the Petitioner to issue tender so that consultative process & other aspects may be undertaken which will be subject to final decision by the Commission. Accordingly, the Petitioner issued a tender on 14.06.2022 inviting bids for

procurement of power through competitive bidding process followed by reverse e-auction from 500 MW grid connected RE projects with assured peak power supply alongwith Energy Storage System. It is also submitted that pre-bid conference was also held with the prospective bidders wherein certain representations were made by the stakeholders/bidders seeking modifications/comments to the tender documents with consideration for discovery of better tariff. It is further submitted that the tender documents provide that the energy storage system has to be co-located at the project site but suggestion is received to allow relaxation of said provision. It is also suggested that merchant capacity / sale of power to third party from the project may be allowed by the Petitioner.

- 2.3. It is submitted that the Petitioner is examining the said suggestions / comments and it is likely that the Petitioner may have to further seek approval from the Commission for any amendments that may be considered by the Petitioner in the bidding documents in respect of relaxation in project location qua storage component of the project or for allowing merchant power or allowing the bidders to tie up capacity with third party etc. Accordingly, the Petitioner may amend the present Petition filed before the Commission by way of filing an IA. Accordingly, it is requested that the Commission may grant two week's time to the Petitioner to file an application for amendment of Petition for seeking approval of further deviations, as may be required, in the present matter.
3. We have considered the submissions made by the Petitioner. We note that the present Petition is filed under Section 63 read with Section 86(1)(b) 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.
- 3.1. We note that pursuant to directives of the Commission, the Petitioner has published the public notice on 15.06.2022 in the newspapers and also placed the copy of

Petition along with public notices on its website inviting comments/objections/suggestions from the stakeholders and filed compliance affidavit dated 15.06.2022. The Petitioner has also received comments / suggestions from some stakeholders in response to such public notice in the present matter.

- 3.2. We also note that the staff of the Commission also uploaded the present Petition along with the relevant documents on website of the Commission inviting comments/suggestions from the stakeholders. Moreover, office of the Commission has also received certain comments / objections / suggestions from the Objectors viz., (i) Wind Independent Power Producers Association, (ii) Apraaava Energy Pvt. Limited and (iii) Greenko Energies Pvt. Limited.
- 3.3. We also note that the Petitioner wants to file an IA seeking permission of the Commission for amending present Petition for approval of further deviations as may be required for which two weeks' time is sought. Let the same be appropriately filed through an application as per Regulations, with a copy to the Objectors. The Objectors are also at liberty to file their submissions, if any, to such application, within a week time from receipt of same, with a copy to the Petitioner to which the Petitioner is at liberty to file its rejoinder reply.
4. The next date of hearing will be intimated separately.
5. We order accordingly.

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

**Sd/-**  
**[Mehul M. Gandhi]**  
**Member**

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

Place: Gandhinagar.  
Date: 30/08/2022.