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. Mr. Anand Ganesan alongwith Ms. Sailaja Vachhrajani, Mr. S. S. Mistry and Mr. Kandarp Mistry
Co-Petitioner No. 1	:	Madhya Gujarat Vij Company Limited
Represented By	:	Mr. A. V. Saxena
Co-Petitioner No. 2	:	Uttar Gujarat Vij Company Limited
Represented By	:	Mr. B. J. Brahmbhatt
Co-Petitioner No. 3	:	Paschim Gujarat Vij Company Limited
Represented By	:	Mr. Y. S. Ghedia
Co-Petitioner No. 4	:	Dakshin Gujarat Vij Company Limited
Represented By	:	Mr. G. D. Bhaiya and Mr. S. A. Bhatiya

CORAM:

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

Date: 11/03/2022.

DAILY ORDER

1. The matter was heard on 10.03.2022.

2. Heard Ld. Adv. Mr. Anand Ganesan, appearing on behalf of the Petitioner GUVNL in the present matter. It is submitted that the Petitioners by way of present Petition have approached the Commission for seeking approval of the Commission to allow the Co-Petitioner distribution companies (DISCOMs) being subsidiaries of the

Petitioner to refund the connectivity charges levied as per Regulation 7(2) 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 have exercised one-time exit option approved by the State Government as special case. It is further submitted that Government of Gujarat has already taken the decision that one-time exit option shall be given to the Solar Project Developers who have signed PPAs with the State DISCOMs and the charges recovered from Developers who exercise such exit option till cut-off date shall be refunded. Therefore, no prejudice would be caused to the SSDSP developers, if the approval is granted by the Commission.

3. Mr. Parthiv Dave, appearing on behalf of the Gujarat Federation of Solar Industries (GFSI), submitted that GFSI has forwarded an application yesterday on 09.03.2022 through email for joining GSFI as third party/objector being affected in the present matter and further submitted that hard copies of the said application are being filed today on 10.03.2022. Accordingly, it is requested that the Commission may allow them to make their submissions by joining as 'Objector' in the present matter.

4. We have heard Ld. Adv. Mr. Anand Ganesan appearing on behalf of the Petitioner GUVNL and Mr. Parthiv Dave, appearing on behalf of the Gujarat Federation of Solar Industries in the present matter. We also note that it is submitted that Gujarat Federation of Solar Industries has filed an application for joining GFSI as party 'Objector' in the present matter. Hence, we direct Gujarat Federation of Solar Industries to provide copy of their application to the Petitioner GUVNL and Co-Petitioners within 3 days from date of this Daily Order. The Petitioner and Co-Petitioners are at liberty to file their submissions on said application within 3 days after receipt of filed application from GSFI. Moreover, the Petitioner GUVNL is also directed to provide copy of this Petition alongwith its documents to GSFI to enable GSFI for filing its submissions, if any, in the matter. Also, GSFI shall file its submissions within a week time after receipt of Petition and also provide copy of its submission to the Petitioner GUVNL and Co-Petitioners to enable them to file their submissions, if any, thereon. Staff of the Commission is directed to forward copy of this Daily Order to GSFI for compliance of above.

4.1. We also note that earlier Federation of Renewable & Consumers of Energy (FORCE) had vide 09.12.2021 requested the Commission to join FORCE as Respondent in this Petition stating that refund of connectivity and related matter is of concern to many stakeholders of FORCE and copy of same was provided to the Petitioner and Co-Petitioners to file their reply/response on same which is yet to be filed by them. Hence, we once again provide an opportunity to GUVNL and Co-Petitioners MGVCL, UGVCL, PGVCL & DGVCL to file their submissions, if any, on same.

4.2. The staff of the Commission is also directed that copy of hearing notice for next date of hearing be also provided including through email to Federation of Renewable & Consumers of Energy (FORCE) and Gujarat Federation of Solar Industries (GFSI) apart from the Petitioner & Co-Petitioners to enable making their submissions and advancing arguments in the matter.

5. Next date of hearing will be intimated separately.

6. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 11/03/2022.