

**BEFORE**  
**THE MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**MUMBAI**

IN THE MATTER OF

Verification of compliance of Renewable Purchase Obligation targets of MBPPL for FY 2018-19 and FY 2019-20, as specified under RPO Regulations, 2016.

AND

IN THE MATTER OF

Mindspace Business Parks Private Limited

(Formerly known as Serene Properties Private Limited)

Plot No. C-30, Block 'G',

Opp. SIDBI, Bandra Kurla Complex,

Bandra (E), Mumbai - 400 051

....The Respondent

I, Nitin Narayan Chunarkar, aged around 40 Years, son of Shri. Narayan Sambaji Chunarkar, having my office at Plot No. C-30, Block 'G', Opp. SIDBI, Bandra Kurla Complex, Bandra (E), Mumbai - 400 051, do solemnly affirm and say as follows:

1. I am authorized signatory of Mindspace Business Parks Pvt. Ltd., the applicant in the above matter, and am duly authorized by the said applicant to make this affidavit.
2. The statements made in paragraphs 1 To 2.5 of the Petition, are true to my knowledge and belief based on the information received and I believe them to be true.
3. I say that there are no proceedings pending in any court of law/tribunal or arbitrator or any other authority, wherein the Petitioners are a party and where issues arising and/or reliefs sought are identical or similar to the issues arising in the matter pending before the Hon'ble Commission.

I solemnly affirm at Mumbai on this 17<sup>th</sup> day of May, 2021 that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed there from.

**Petitioner**

**Identified before me**

A handwritten signature in blue ink, appearing to read "Raj Kumar Singh", is written over a circular blue ink stamp. The stamp contains the text "MINDSPACE BUSINESS PARKS PVT. LTD." around the perimeter.

**Authorized signatory, MBPPL**

**BEFORE**  
**THE MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
**MUMBAI**

Filing No.

Case No. – 55 of 2021

(To be filled by the Office)

IN THE MATTER OF

Verification of compliance of Renewable Purchase Obligation targets of MBPPL for FY 2018-19 and FY 2019-20, as specified under RPO Regulations, 2016.

AND

IN THE MATTER OF

Mindspace Business Parks Pvt. Ltd.

Plot No. C-30, Block 'G',

Opp. SIDBI, Bandra Kurla Complex,

Bandra (E), Mumbai – 400 051

.....The Respondent

Most Respectfully Showeth:

**Background**

- 1.1. Mindspace Business Parks Private Limited (hereinafter referred to as “**MBPPL**” or “the Petitioner”) [formerly known as Serene Properties Private Limited], is a Company incorporated under the provisions of the Companies Act, 1956, having its registered office at Plot No. C-30, Block 'G', Opp. SIDBI, Bandra Kurla Complex, Bandra (E), Mumbai – 400 051, Maharashtra, India.
- 1.2. MBPPL, under Section 3 of the Special Economic Zones (SEZ) Act, 2005 (28 of 2005), is setting up a sector specific Special Economic Zone (SEZ) for Information Technology and Information Technology Enabled Services (IT & ITeS) at Plot No. 3, Kalwa, TTC Industrial Area, MIDC, Taluka Thane, District Thane, in the State of Maharashtra. MBPPL has been notified as the Developer

of the SEZ by the Ministry of Commerce & Industry (Department of Commerce) vide Notification No. S.O. 1876(E) dated November 2, 2007.

- 1.3. The Ministry of Commerce & Industry (Department of Commerce), Government of India, vide its Notification under clause (b) of sub-section (1) of Section 49 of the Special Economic Zones Act, 2005 dated March 3, 2010, specified that the Developer of the SEZ is deemed to be a Distribution Licensee under the provisions of the Electricity Act, 2003 (EA 2003).
- 1.4. In view of the above, MBPPL is a deemed Distribution Licensee in its SEZ area at Plot No. 3, Kalwa, TTC Industrial Area, MIDC, Taluka Thane, District Thane, in the State of Maharashtra.
- 1.5. The Hon'ble Commission, vide Order dated April 11, 2012 in Case No. 157 of 2011, has taken on record the deemed Distribution Licensee status of MBPPL and subsequently notified the Specific Conditions of Licence for MBPPL on August 21, 2013.
2. Responses of MBPPL to the queries asked by the Hon'ble Commission vide letter MERC/Tech/RPO/MBPPL/122 dated 27<sup>th</sup> April, 2021.

**2.1) Reconciliation statement along with rationale with regards to GEC data reported by MSLDC and audited data of MBPPL.**

**Response** - MBPPL respectfully submits that there is a marginal difference in the data reported by MSLDC and the audited data of MBPPL. MBPPL submits that this discrepancy was also taken on record by the Hon'ble Commission during the Multi Year Tariff determination process. Since MBPPL has submitted the data before the MYT process, we humbly seek appropriate directions from the Hon'ble Commission for taking on record the status of RPO fulfilment. We also request Hon'ble Commission to kindly consider the RPO fulfilment summary basis the GEC as submitted by MBPPL vs MSLDC from **Annexure-1**.

MBPPL respectfully submits that since the audited GEC values reported by MBPPL were higher than the ones submitted by MSLDC, the RPO fulfilment trajectory claimed by MBPPL shall be more than the presented values in case GEC of MSLDC is considered for approval by the Hon'ble Commission.

MBPPL humbly submits that at the end of FY 2019-20, there is surplus on RPO compliance front on cumulative basis since commencement of its operations in 2015.

- 2.2) MBPPL should verify the RPO settlement details for FY 2018-19 and FY 2019-20, as submitted by MEDA (copy attached as Annexures to this letter) and highlight the discrepancies, if any, along with proper justification.**

**Response -** MBPPL humbly submits that the data represented in the Annexure-1 along with the data submitted by MEDA is in line with our submissions and no discrepancies have been observed.

- 2.3) MBPPL should submit the status of Solar, Non-Solar RPO compliance including Mini/Micro Hydro RPO compliance, as per the directives of the Commission vide Orders in Case No.174 of 2016, Case No.212 of 2017 and Case No. 41 of 2019 along with detailed statement for project wise energy procurement in MUs from all Solar & Non-Solar generating projects including Mini/Micro Hydro projects and project wise contracted Solar and Non-Solar power capacity in MW during FY 2015-16 to FY 2019-20.**

**Response -** We would like to submit that RPO targets by the Hon'ble Commission for the FY 2018-19 and FY 2019-20 have been met by MBPPL. MBPPL respectfully submits that marginal shortfall for the FY 2015-16, FY 2016-17 and FY 2017-18 have also been fulfilled by MBPPL. This leads to cumulative surplus renewable purchase by MBPPL against the target set by Hon'ble Commission. Detailed financial year wise purchase along with target completion data is submitted herewith as **Annexure -1**.

**2.4) MBPPL should submit detailed list of action and efforts undertaken by it prior to and during FY 2018-19 and FY 2019-20 to ensure compliance of RPO targets in respect of Solar RPO, Non-Solar RPO and Mini/Micro Hydro RPO.**

**Response -** MBPPL submits that RPO targets set out by Hon'ble Commission in FY 2018-19 and FY 2019-20 have been met from procurement of Non-Solar and Solar RECs from exchange platforms. Since the Non-Solar targets were met from procurement of RECs, MBPPL is not in a position to further bifurcate the same for Mini/Micro Hydro compliance.

**2.5) MBPPL should submit the details for long term RE procurement plan (in MUs and corresponding MW) for meeting the future RPO targets.**

**Response -** MBPPL respectfully submits that Hon'ble Commission in Case No. 328 of 2019, has allowed MBPPL to fulfil its renewable purchase obligations till end of FY 2021-22 through procurement of RECs. However, MBPPL is in process to issue a tender inviting bid from Non-Solar generators for procurement of actual green power.

MBPPL submits that due to widespread global pandemic since March 2020, it has witnessed steep fall in its electricity demand vis-à-vis sales projections. This has severely hampered the revenues of the distribution licensee. MBPPL would like to initiate the green energy procurement with gradual year on year increase and thereby balancing its overall cost of power purchase. As approved by Hon'ble Commission in Case No. 231 of 2020, MBPPL along with other two distribution licensees of K. Raheja Corp shall initiate the process to request proposals from generators through competitive bidding process. Details are as mentioned below –

Discom	Period	Type	Quantum in MW*	Quantum in MUs*
Mindspace Business Parks Private Limited	01.10.2021 - 30.09.2025	Non-Solar	3.5	4.55

Apart from the base quantum which shall be available from the above-mentioned contract, MBPPL has been procuring power through G-TAM market segment and other introductions of products in future on exchanges or any other platform which is transparent, neutral and offer competitive pricing..

Further, MBPPL is assessing the requirement of its consumer to meet the requirement specific to green power and is committed to meet the RPO target & consumer demand for green energy.

**Place: Mumbai**

**Date: May 17, 2021**

**Respondent**

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**Authorized signatory, MBPPL**

## ANNEXURE - 1

### Summary of RPO compliance by Mindspace Business Parks Private Limited from FY 2015-16 to FY 2019-20

#### 1) Considering Gross Energy Consumption in MUs of MBPPL and as submitted to MEDA

YEARWISE SUMMARY - MBPPL											
FY	%	2015-16	%	2016-17	%	2017-18	%	2018-19	%	2019-20	Cumulative Shortfall / (Surplus)
GEC in MUs		81.81		86.2		89.92		84.143		83.683	
Solar	0.50%	0.409	1.00%	0.862	2.00%	1.798	2.75%	2.314	3.50%	2.929	8.312
REC	0.49%	0.403	0.79%	0.682	0.23%	0.208	4.86%	4.092	3.54%	2.963	8.348
<b>Shortfall/(Surplus) - SL</b>		<b>0.006</b>		<b>0.180</b>		<b>1.590</b>		<b>(1.778)</b>		<b>(0.034)</b>	<b>(0.036)</b>
Non-Solar	8.50%	6.954	10.00%	8.620	10.50%	9.442	11.00%	9.256	11.50%	9.624	43.895
REC	8.37%	6.845	8.15%	7.023	11.96%	10.751	11.47%	9.648	11.63%	9.736	44.003
Shortfall/(Surplus) - NSL		<b>0.109</b>		<b>1.597</b>		<b>(1.309)</b>		<b>(0.392)</b>		<b>(0.112)</b>	<b>(0.108)</b>

#### 2) Considering Gross Energy Consumption in MUs as submitted by MSLDC to MEDA

YEARWISE SUMMARY - MBPPL											
FY	%	2015-16	%	2016-17	%	2017-18	%	2018-19	%	2019-20	Cumulative Shortfall / (Surplus)
GEC in MUs		81.81		86.2		89.92		83.876*		80.228*	
Solar	0.50%	0.409	1.00%	0.862	2.00%	1.798	2.75%	2.307	3.50%	2.808	8.184
REC	0.49%	0.403	0.79%	0.682	0.23%	0.208	4.88%	4.092	3.69%	2.963	8.348
<b>Shortfall/(Surplus) - SL</b>		<b>0.006</b>		<b>0.180</b>		<b>1.590</b>		<b>(1.785)</b>		<b>(0.155)</b>	<b>(0.164)</b>
Non-Solar	8.50%	6.954	10.00%	8.620	10.50%	9.442	11.00%	9.226	11.50%	9.226	43.468
REC	8.37%	6.845	8.15%	7.023	11.96%	10.751	11.50%	9.648	12.14%	9.736	44.003
Shortfall/(Surplus) - NSL		<b>0.109</b>		<b>1.597</b>		<b>(1.309)</b>		<b>(0.422)</b>		<b>(0.510)</b>	<b>(0.535)</b>

\* 1) FY 18-19 GEC in MUs provided by MSLDC in MYT

2) FY 19-20 GEC in MUs provided by MSLDC to MEDA

