

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

IN THE MATTER OF

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

AND

IN THE MATTER OF

Gigaplex Estate 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 Gigaplex Estate Private Limited., 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.

**Respondent**

**Identified before me**

A handwritten signature in blue ink is written over a circular purple stamp. The stamp contains the text "GEPL" and "ESTATE PRIVATE LIMITED" around the perimeter. The signature appears to be "M. Kumar" or similar.

**Authorized signatory, GEPL**

**BEFORE  
THE MAHARASHTRA ELECTRICITY REGULATORY COMMISSION  
MUMBAI**

Filing No.

Case No. 54 of 2021

(To be filled by the Office)

IN THE MATTER OF

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

AND

IN THE MATTER OF

Gigaplex Estate Private Limited.

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

Opp. SIDBI, Bandra Kurla Complex,

Bandra (E), Mumbai - 400 051

.....The Respondent

Most Respectfully Showeth:

**Background**

1.1. Gigaplex Estate Private Limited (hereinafter referred to as "GEPL" 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. GEPL, 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. IT-5, Airoli Knowledge Park, TTC Industrial Area, Villages Airoli and Dighe, Thane, in the State of Maharashtra. GEPL has been notified as the Developer of the SEZ by the Ministry of Commerce & Industry (Department of Commerce) vide Notification No. S.O. 1695(E) dated June 11, 2013.
- 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, GEPL is a deemed Distribution Licensee in its SEZ area at Plot No. IT-5, Airoli Knowledge Park, TTC Industrial Area, Villages Airoli and Dighe, Thane, in the State of Maharashtra.
- 1.5. The Hon'ble Commission, vide Order dated October 26, 2015 in Case No. 198 of 2014, has taken on record the deemed Distribution Licensee status of GEPL and subsequently notified the Specific Conditions of Licence for GEPL on December 17, 2015.
2. Responses of GEPL to the queries asked by the Hon'ble Commission vide letter MERC/Tech/RPO/GEPL/120 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 GEPL.**  
**Response -** GEPL respectfully submits that there is a marginal difference in the data reported by MSLDC and the audited data of GEPL. GEPL also

submits that the discrepancy was also taken on record by the Hon'ble Commission during the Multi-Year Tariff determination process. Since, GEPL has submitted the data pertaining to RPO compliance during the Multi- Year Tariff Determination 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 as the basis the GEC as submitted by GEPL vs MSLDC from **Annexure - 1**.

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

GEPL humbly submits that at the end of FY 2019-20, there is a surplus on RPO compliance on cumulative basis since commencement of its operations in 2016.

- 2.2 GEPL 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 -** GEPL 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 GEPL 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.213 of 2017 and Case No. 42 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 2016-17 to FY 2019-20.**

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

**2.4 GEPL 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** - GEPL 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, GEPL is not in a position to further bifurcate the same for Mini/Micro Hydro compliance.

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

**Response** - GEPL respectfully submits that Hon'ble Commission in Case No. 330 of 2019, has allowed GEPL to fulfil its renewable purchase obligations till end of FY 2021-22 through procurement of RECs. However, GEPL is in process to issue a tender inviting bid from Non-Solar generators for procurement of actual green power for the remaining period of MYT control period.

GEPL 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. GEPL 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, GEPL 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*
Gigaplex Estate Private Limited	01.10.2021 - 30.09.2025	Non-Solar	1.25	1.75

Apart from the base quantum which shall be available from the above-mentioned contract, GEPL 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, GEPL 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**



**Authorized signatory, GEPL**

## ANNEXURE - 1

### Summary of RPO compliance by Gigaplex Estate Private Limited from FY 2016-17 to FY 2019-20

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

YEAR WISE SUMMARY - GEPL									
FY	%	2016-17	%	2017-18	%	2018-19	%	2019-20	Cumulative Shortfall / (Surplus)
<b>GEC in MUs</b>		<b>12.27</b>		<b>21.01</b>		<b>27.80</b>		<b>34.35</b>	
Solar	1.00%	0.123	2.00%	0.420	2.75%	0.764	3.50%	1.202	2.509
REC	0.71%	0.087	0.17%	0.035	4.29%	1.192	3.53%	1.213	2.527
<b>Shortfall/(Surplus) - SL</b>		<b>0.036</b>		<b>0.385</b>		<b>(0.43)</b>		<b>(0.01)</b>	<b>(0.02)</b>
Non-Solar	10.00%	1.227	10.50%	2.206	11.00%	3.058	11.50%	3.950	10.441
REC	7.09%	0.870	12.14%	2.550	11.19%	3.110	11.61%	3.987	10.517
<b>Shortfall/(Surplus) - NSL</b>		<b>0.357</b>		<b>(0.34)</b>		<b>(0.05)</b>		<b>(0.04)</b>	<b>(0.08)</b>

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

YEAR WISE SUMMARY - GEPL									
FY	%	2016-17	%	2017-18	%	2018-19	%	2019-20	Cumulative Shortfall / (Surplus)
<b>GEC in MUs</b>		<b>12.27</b>		<b>21.01</b>		<b>27.74*</b>		<b>32.97*</b>	
Solar	1.00%	0.123	2.00%	0.420	2.75%	0.762	3.50%	1.154	2.460
REC	0.71%	0.087	0.17%	0.035	4.30%	1.192	3.68%	1.213	2.527
<b>Shortfall/(Surplus) - SL</b>		<b>0.036</b>		<b>0.385</b>		<b>(0.43)</b>		<b>(0.06)</b>	<b>(0.07)</b>
Non-Solar	10.00%	1.227	10.50%	2.206	11.00%	3.052	11.50%	3.791	10.276
REC	7.09%	0.870	12.14%	2.550	11.21%	3.110	12.09%	3.987	10.517
<b>Shortfall/(Surplus) - NSL</b>		<b>0.357</b>		<b>(0.34)</b>		<b>(0.06)</b>		<b>(0.20)</b>	<b>(0.24)</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

