



Ref. No.: NUPLLP/MERC/2021/002

Date: 28 May 2021

To,
The Secretary,
Maharashtra Electricity Regulatory Commission,
Centre One, World Trade Centre,
Cuffe Parade, Mumbai.

Subject: **Verification of compliance of Renewable Purchase Obligation targets of NUPLLP for FY 2018-19 and FY 2019-20**

Reference: 1. Your email dated 27 April 2021
 2. Hon'ble MERC vide letter no. MERC/Tech/RPO/NUPLLP/124, dated 27 April 2021

Respected Sir,

This is with reference to the above captioned matter, where the Hon'ble MERC have sought the response from Nidar Utilities Panvel LLP (NUPLLP), a deemed distribution licensee, on the queries listed in the Hon'ble Commission's vide letter no. MERC/Tech/RPO/NUPLLP/124, dated 27 April 2021. In this context, NUPLLP has provided its point wise response to the Hon'ble MERC's queries, which is enclosed herewith as **Annexure I**. NUPLLP therefore humbly requests the Commission to kindly consider the same on the records.

Thanking you,

Yours Sincerely,

For Nidar Utilities Panvel LLP

Saurabh Gupta
Head – Regulatory & Power Purchase

Encl.: Annexure – I



Annexure I

Response to Hon'ble MERC's queries on verification of RPO for FY 2018-19 and FY 2019-20

Sr. No.	Queries raised by the Hon'ble MERC	NUPLLP's Reply
a.	Reconciliation statement along with rationale with regards to GEC data reported by MSLDC and audited data of NUPLLP.	<p>The rationale for the GEC data v/s Audited NUPLLP data is provided as under:</p> <ul style="list-style-type: none"> • NUPLLP humbly submits that, for FY 2018-19, the GEC data of MSLDC completely matches with the audited data of NUPLLP. • For FY 2019-20, there is minor discrepancy with respect to the GEC data v/s NUPLLP audited data for FY 2019-20, which is due to the grossing up of transmission loss at 3.3% with the GEC data by NUPLLP, as instructed by MSLDC.
b.	NUPLLP 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.	NUPLLP humbly submits that, the RPO settlement details for FY 2018-19 and FY 2019-20 are correct with respect to the MEDA copies shared by the Hon'ble MERC.
c.	NUPLLP should submit 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 for FY 2018-19 and FY 2019-20.	<ul style="list-style-type: none"> • NUPLLP submits that, as per Regulation 2q (Net Metering Arrangement Definition) read with Regulation 14 (Renewable Purchase Obligation) of the MERC (Grid Interactive Rooftop Renewable Energy Generating Systems) Regulations, 2019, a distribution licensee can fulfil its RPO obligations from the Renewable Energy purchased from its consumer having Grid Connected Solar Rooftop system under the Net Metering arrangement.



Sr. No.	Queries raised by the Hon'ble MERC	NUPLLP's Reply
		<ul style="list-style-type: none"> • Thus, on similar arrangement NUPLLP at present is fulfilling its RPO by purchasing the RE from its consumer M/s Persipina Developers Pvt. Ltd. (PDPL) having grid interactive Solar Rooftop setup under Net Metering arrangement, who is also Developer of the Panvel SEZ. • It is also submitted that, at present NUPLLP has no long term RE Power Procurement with any RE generators, hence, detailed statement for project wise energy procurement in Mus is not available at this stage.
d.	<p>NUPLLP 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.</p>	<ul style="list-style-type: none"> • NUPLLP humbly submits that, it has started its distribution operations from 1 October 2018. As mentioned in response to Query c, at present NUPLLP is meeting its RPO from the Solar Rooftop Project installed under Net-metering arrangement from its consumer M/s PDPL, who is also a Developer of the Panvel SEZ.. • As regards to compensate the yearly difference in the Solar & Non-Solar RPO Targets, the settlement of the same was proposed to be met through REC, where NUPLLP made all the arrangements for the purchase of Renewable Energy Certificates (REC) from IEX trading platform. • However, NUPLLP could not execute the same due to the Hon'ble APTEL's Judgement in DFR No. 247 of 2020 dated 24 July, 2020 (copy enclosed as Appendix A & A1), by putting the stay on REC trading scheduled on 29 July 2020. • NUPLLP could not procure REC since March 2020 due to CoVID -19 lockdown restrictions



Sr. No.	Queries raised by the Hon'ble MERC	NUPLLP's Reply
		<p>and will be complying its RPO cumulatively for FY 2018-19, FY 2019-20 and FY 2020-21 once there is a commencement of REC trading of REC's on IEX.</p> <ul style="list-style-type: none"> • In this regards, NUPLLP has also intimated Maharashtra Energy Development Agency (MEDA) vide letter no. NUPLLP/MEDA/RPO/2020/004 (Copy Enclosed as Appendix B), dated 3 August 2020, where the copy was also marked to the Hon'ble MERC. • NUPLLP shall procure the entire settlement and procurement of unmet RPO Targets for the respective years (FY 2018-19, FY 2019-20 and FY 2020-21) within 4-6 months from the commencement of REC trading and would provide the details in its MYT Petition, which will be filed before the Hon'ble Commission in the month of December 2021.
e.	NUPLLP should submit the details for long term RE procurement plan (in MUs and corresponding MW) for meeting the future RPO targets.	NUPLLP humbly submits that, the details of the Long-Term RE Procurement plan (Both in MUs and MW) for meeting the RPO targets based on the projected demand of our licensee area along with Power Procurement Plan before the Hon'ble Commission in the MYT Petition, which is expected to be filed in the month of December 2021.

Encl.:

1. **Appendix A & A1:** Hon'ble APTEL's Judgement in DFR No. 247 of 2020 dated 24 July, 2020.
2. **Appendix B:** NUPLLP Letter to MEDA dated 3 August 2020



Appendix A

COURT-I

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)**

DFR NO. 247 OF 2020

Dated: 24th July, 2020

**Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. S.D. Dubey, Technical Member**

In the matter of:

Green Energy Association	Versus Appellant(s)
Central Electricity Regulatory Commission	 Respondent(s)

Counsel on record for the Appellant(s) : Mr. Parinay Deep Shah
Ms. Mandakini Ghosh
Ms. Ritika Singhal

Counsel on record for the Respondent(s): Mr. K. R. Sasiprabhu for Caveator-1
Mr. Hemant Singh
Mr. Lakshyajit Singh Bagdwal for Caveator-2

ORDER

Proceedings in this matter today are conducted through video conferencing.

We have heard Mr. Sanjay Sen, learned senior counsel arguing for Appellant and Mr. Ramji Srinivasan, learned senior counsel arguing for the Caveator-Captive Power Producers Association and Mr. Gopal Jain, learned senior counsel arguing for BALCO at some length in the presence of Mr. Saurabh Mishra, learned counsel arguing for CERC.



Registry is directed to put up all impleading applications filed in this appeal by next date of hearing.

Registry shall number the appeal and the Appellant shall serve all the papers to the impleading applicants also.

Meanwhile, the trading of RECs scheduled on 29.7.2020 shall be postponed by four weeks.

It is made clear that if validity for any REC is going to be expired within four weeks, as stated above, the same shall be extended by the concerned authority.

List the matter on 27.07.2020 (*through video conferencing*).

(S.D. Dubey)
Technical Member

(Justice Manjula Chellur)
Chairperson

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Appendix A1

COURT-1

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
(Appellate Jurisdiction)

APPEAL NO. 118 OF 2020 &
IA NOS. 840, 839 & 1090 OF 2020

Dated: 25th September, 2020

Present: Hon'ble Mrs. Justice Manjula Chellur, Chairperson
Hon'ble Mr. S.D. Dubey, Technical Member

In the matter of:

Green Energy Association	Appellant(s)
	Versus	
Central Electricity Regulatory Commission & Anr.	Respondent(s)

Counsel on record for the Appellant(s) : Mr. Parinay Deep Shah
Ms. Mandakini Ghosh
Ms. Ritika Singhal

Counsel on record for the Respondent(s): Mr. Saurabh Mishra for R-1
Mr. R. S. Prabhu for R-2
Mr. Hemant Singh
Mr. Lakshyajit Singh Bagdwal
(for Caveator – BALCO)

ORDER

Proceedings in this matter today are conducted through video conferencing.

Heard Mr. Ramji Srinivasan, learned senior counsel arguing for Respondent No.2 and Mr. Gopal Jain, learned senior counsel arguing for the Caveator-BALCO.

Page 1 of 2



Arguments concluded. All parties are at liberty to file written submissions within one week i.e., on or before 02.10.2020 with advance copy to the other side.

Judgment Reserved. Interim order, if any shall continue till the judgment is pronounced.

(S.D. Dubey)
Technical Member(Electricity)

(Justice Manjula Chellur)
Chairperson

tpd



Appendix B



Ref: NUPLLP/MEDA/RPO/2020/004

03rd August 2020

To

Mr. M.A.Pise,
General Manager (REC, RPO)
Maharashtra Energy Development Agency (MEDA)
Government of Maharashtra
Tridal Nagar, Yerwada,
Pune - 411006

Sub.: Submission of Provisional RPO achievement for Q1 of FY 2020-21 Compliance

Dear Sir,

Referring to subject matter and Gazette notification of MERC's pertaining to Renewable Purchase Obligation, Its Compliance and Implementation of Renewable Energy Certificate Framework Regulation 2019, dated: 27th December 2019, enclosed find herewith, duly filled provisional RPO data for Q1 of FY 2020-21 in the prescribed MEDA's RPO data reporting format.

Kindly note that NUPLLP neither procured any Renewable Energy (RE) power nor purchased Renewable Energy Certificate (REC). Further, NUPLLP does not have its own RE generation. NUPLLP has started its operation on 1st October 2018.

It is noteworthy to mention here, NUPLLP made all the arrangements for the purchase of Renewable Energy Certificates (REC) from IEX trading platform. However, NUPLLP could not execute the same due to Aptel's Order in DFR No. 247 of 2020 dated 24th July, 2020 (copy attached), regarding the postponement of REC trading scheduled on 29th July 2020 for four weeks.

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NUPLLP could not procure REC since March 2020 due to lockdown because of COVID-19 and will be complying its RPO cumulatively for FY 2018-19, FY 2019-20 and Q1 of FY 2020-21 by September 30, 2020 or commencement of trading of REC's in IEX, whichever is later.

Moreover, NUPLLP as a Distribution Licensee, qualifying towards meeting the Solar RPO under the Net Metering Arrangement with its Consumer, which is not an obligated entity.

Thanking you,

Yours faithfully,

(Authorized Signatory)

Enclosure:

1. RPO Compliance reporting data Q1 - FY 2020 – 2021
2. Aptel Order on DFR No. 247 of 2020 dated: 24th July 2020

Copy to:

The Secretary,
Maharashtra Electricity Regulatory Commission,
World Trade Centre, Centre No. 1,
13th Floor, Cuffe Parade,
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